

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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| _____ |) | |
| SECURITIES AND EXCHANGE |) | |
| COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 1:16-cv-10524-RGS |
| |) | |
| MARK A. JONES, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

**FINAL JUDGMENT AS TO
DEFENDANT MARK A. JONES**

Plaintiff Securities and Exchange Commission (the “Commission”) having commenced this action against defendant Mark A. Jones (“Jones”) on March 15, 2016; a Clerk’s default having been entered against Jones on March 7, 2017; the Commission having submitted a memorandum and other materials in support of its proposed final judgment; and the Court having determined that entry of a final judgment against Jones is appropriate:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Jones and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. §77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in

interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;
or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

As provided in Federal Rule of Civil Procedure 65(d)(2), this paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Jones's agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Jones or with anyone described in (a).

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Jones and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. §78j(b)] and Rule 10b-5 thereunder [17 C.F.R. §240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;

- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

As provided in Federal Rule of Civil Procedure 65(d)(2), this paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Jones's agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Jones or with anyone described in (a).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Jones is liable for disgorgement of \$3,586,510 representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$236,463.48, for a total disgorgement obligation of \$3,822,973.48, pursuant to Section 20(d)(2) of the Securities Act [15 U.S.C. §77t(d)(2)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. §78u(d)(3)]. Jones is also liable for a civil penalty in the amount of \$ 160,000.00, pursuant to Section 20(d)(2) of the Securities Act [15 U.S.C. §77t(d)(2)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. §78u(d)(3)]. Jones shall satisfy these obligations by making payment to the Securities and Exchange Commission within fourteen (14) days after entry of this Final Judgment.

Jones may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website

at <http://www.sec.gov/about/offices/ofm.htm>. Jones may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Jones as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Jones shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Jones relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to him.

The Commission shall hold the funds (collectively, the "Fund") and may propose a plan to distribute the Fund subject to the Court's approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the Commission staff determines that the Fund will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The Commission may enforce the Court's judgment for civil penalty, disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after fourteen (14) days following entry of this Final Judgment. Jones shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. §1961.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

Dated: March 28, 2017

Richard B. Stearns
UNITED STATES DISTRICT JUDGE