

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	Case No. 1:09-cv-5644
	:	
v.	:	
	:	
ROBERT D. FALOR	:	Hon. Joan M. Gottschall
	:	
Defendant,	:	
	:	
and	:	Mag. Sidney I. Schenkier
	:	
JENNIFER L. FALOR,	:	
	:	
Relief Defendant.	:	

FINAL JUDGMENT AS TO RELIEF DEFENDANT JENNIFER L. FALOR

The Securities and Exchange Commission having filed a Complaint and Relief Defendant Jennifer L. Falor ("Relief Defendant"), having entered a general appearance; consented to the Court's jurisdiction over Relief Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint, except as to jurisdiction; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Relief Defendant is liable for disgorgement of \$930,243.00, representing ill-gotten gains resulting from the violations of the federal securities laws of Defendant Robert Falor as alleged in the Complaint, together

with prejudgment interest thereon in the amount of \$508,473.26, for a total of \$1,438,716.26. Based on Relief Defendant's sworn representations in her Statement of Financial Condition dated February 19, 2013, and other documents and information submitted to the Commission, payment of all but \$140,100.00 of the disgorgement and pre-judgment interest thereon is waived. The determination to waive payment of all but \$140,100.00 of the disgorgement and pre-judgment interest is contingent upon the accuracy and completeness of Relief Defendant's Statement of Financial Condition. If at any time following the entry of this Final Judgment the Commission obtains information indicating that Relief Defendant's representations to the Commission concerning her assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made, the Commission may, at its sole discretion and without prior notice to Relief Defendant, petition the Court for an order requiring Relief Defendant to pay the unpaid portion of the disgorgement and pre-judgment. In connection with any such petition, the only issue shall be whether the financial information provided by Relief Defendant was fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made. In its petition, the Commission may move this Court to consider all available remedies, including, but not limited to, ordering Relief Defendant to pay funds or assets, directing the forfeiture of any assets, or sanctions for contempt of this Final Judgment. The Commission may also request additional discovery. Relief Defendant may not, by way of defense to such petition: (1) challenge the validity of the Consent or this Final Judgment; (2) contest the allegations in the Complaint filed by the Commission; (3) assert that payment of disgorgement or pre-judgment interest should not be ordered; (4) contest the amount of disgorgement or pre-judgment interest; or (5) assert any defense to liability or remedy, including, but not limited to, any statute of limitations defense.

Relief Defendant shall also pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

Relief Defendant's \$140,100.00 obligation shall be satisfied by (a) the amount currently being held in the Court's registry which is \$125,000.00¹; and (b) paying the Clerk of the Court \$15,100.00 within 14 days after entry of this Final Judgment. Relief Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Relief Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Relief Defendant. The Clerk shall deposit the funds (collectively, the "Fund") into an interest bearing account with the Court Registry Investment System ("CRIS"). In accordance with 28 U.S.C. § 1914 and the guidelines set by the Director of the Administrative Office of the United States Courts, the Clerk is directed, without further order of this Court, to deduct from the income earned on the money in the Fund a fee equal to ten percent of the income earned on the Fund.

The Commission 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 disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Relief Defendant shall pay

¹ Relief Defendant previously deposited \$500,000.00 into the Court's registry, of which \$375,000.00 was paid to Hotel 71 Mezz Lender, LLC.

post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

II.

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.

III.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: Aug 6, 2013
8-6-13


UNITED STATES DISTRICT JUDGE