

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 1:12-cv-21656-JAL**

<b>SECURITIES AND EXCHANGE</b>	)
<b>COMMISSION,</b>	)
	)
<b>Plaintiff,</b>	)
<b>v.</b>	)
	)
<b>RECYCLE TECH, INC.,</b>	)
<b>RYAN GONZALEZ,</b>	)
<b>OTC SOLUTIONS LLC,</b>	)
<b>ANTHONY THOMPSON,</b>	)
<b>PUDONG LLC, and JAY FUNG,</b>	)
	)
<b>Defendants,</b>	)
_____	)

**ORDER GRANTING PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT  
AGAINST DEFENDANT RECYCLE TECH, INC.  
AND ENTERING JUDGMENT OF PERMANENT INJUNCTION**

**THIS MATTER** is before the Court on Plaintiff Securities and Exchange Commission’s Motion for Entry of a Default Judgment of Permanent Injunction against Defendant Recycle Tech, Inc., (D.E. # 80), having considered the motion and the entire record, the Court enters the following order granting the Plaintiff’s motion, and imposing a Default Judgment of Permanent Injunction against Recycle Tech:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. This Court has personal jurisdiction over Recycle Tech and the subject matter of this action. Venue is proper in the Southern District of Florida.
2. Recycle Tech was properly served with a summons and a copy of the Amended Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure. Thus, it has proper notice of this action.

3. As of the date of this Order, Recycle Tech has failed to answer or otherwise file a responsive pleading to the Amended Complaint as required by the Federal Rules of Civil Procedure.

4. The Clerk of the Court entered a default against Recycle Tech on October 26, 2012. (D.E. # 78) By virtue of the default and the failure to respond to the Amended Complaint, Recycle Tech is deemed to have admitted the allegations of the Amended Complaint, and the Commission has established liability against the Company. *Buchanan v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987). Thus, the Court finds Recycle Tech committed the violations alleged in the Amended Complaint. Accordingly, it is:

**ORDERED AND ADJUDGED** that Plaintiff's Motion for Entry of a Default Judgment of Permanent Injunction against Defendant Recycle Tech, Inc. is **GRANTED**. Default Judgment is entered against Recycle Tech as follows:

**I.**

**SECTIONS 5(a) AND 5(c) OF THE SECURITIES ACT OF 1933**

**IT IS ORDERED AND ADJUDGED** that Recycle Tech, its agents, servants, employees, attorneys, representatives, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 5 of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77e, by, directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise;

- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; or
- (c) Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act, 15 U.S.C. § 77h.

**II.**

**SECTION 13(a) AND RULES 13a-1 and 13a-13  
OF THE SECURITIES EXCHANGE ACT OF 1934**

**IT IS FURTHER ORDERED AND ADJUDGED** that Recycle Tech, its agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 13(a) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78m(a), and Rules 13a-1, and 13a-13 thereunder, 17 C.F.R. §§ 240.13a-1, and 240.13a-13, by failing to file with the Commission such factually accurate and complete periodic reports as required pursuant to Section 13(a) of the Exchange Act and Rules 13a-1 and 13a-13 thereunder.

**III.**

**SECTION 10(b) and RULE 10b-5  
OF THE SECURITIES EXCHANGE ACT OF 1934**

**IT IS FURTHER ORDERED AND ADJUDGED** that Recycle Tech, its agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this 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 Exchange Act Rule 10b-5, 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

by, directly or indirectly, making any false or misleading statement, or disseminating any false or misleading documents, materials, or information, concerning matters relating to a decision by an investor or prospective investor to buy or sell securities of any company.

IV.

**RETENTION OF JURISDICTION**


**IT IS FURTHER ORDERED AND ADJUDGED** that this Court shall retain jurisdiction over this matter and Recycle Tech in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstances.

V.

**RULE 54(b) CERTIFICATION**

**IT IS FURTHER ORDERED AND ADJUDGED** that 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 Judgment forthwith and without further notice.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 16 day of Nov., 2012.

  
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**JOAN A. LENARD**  
**UNITED STATES DISTRICT JUDGE**

Copies to counsel and parties of record