

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SECURITIES AND EXCHANGE : **CIVIL ACTION**
COMMISSION :
v. :
: **NO. 15-269**
NAN HUANG :

AMENDED JUDGMENT ORDER

AND NOW, this 26th day of February 2016, following a jury trial and January 14, 2016 jury verdict (ECF Doc. No. 95) finding Defendant Nan Huang engaged in insider trading, oral argument, post-trial briefing on remedies (ECF Doc. Nos. 98, 99, 100, 101) and for the reasons in the accompanying Memorandum, **IT IS ORDERED JUDGMENT IS ENTERED** in favor of the Securities and Exchange Commission and against Nan Huang:

1. Nan Huang is 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 promulgated 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.

2. Under Federal Rule of Civil Procedure 65(d)(2), paragraph 1 of this Judgment Order also binds those who receive actual notice of this Order who are in active concert or participation with Nan Huang.

3. Nan Huang shall disgorge **\$4,403,545**, representing profits gained as a result of the insider trading conduct found by the jury at trial, together with \$288,965 in prejudgment interest and a **civil penalty of \$8,807,090** under 15 U.S.C. § 78u-1 representing double the ill-gotten gains.

4. Nan Huang 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 Commission's website at <http://www.sec.gov/about/offices/ofm.htm>. Nan Huang may also pay by certified check, bank cashier's check, or United States postal money order payable to the Commission be delivered or mailed to

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

and accompanied by a letter identifying the case title, civil action number, and name of this Court; Nan Huang as a defendant; and specifying payment is made under this Judgment Order. Nan Huang shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Nan Huang relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Nan Huang unless payment exceeds the Judgment amount in

Paragraph 3. The Commission shall send the funds paid to satisfy this Judgment Order to the United States Treasury.

5. The Commission may enforce this Judgment Order 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 Judgment Order under 28 U.S.C. § 1961.

6. On or before fourteen (14) days following the entry of this Judgment Order, the following entities shall transmit electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions to such entities, all funds held in the following accounts owned or controlled, in whole or in part, by Nan Huang frozen under our January 21, 2015 and March 2, 2015 Orders:

OptionsHouse, LLC: Account Numbers ----5586, ----4034, and ---4046;¹

E*TRADE Financial Corporation: Account Nubmer ----6338;

Interactive Brokers, LLC: Account Number ----0854;

Just2Trade (Success Trade Securities, Inc.) c/o COR Clearing: Account Number ----5967;

Penson Financial Services (MB Trading, Inc.) c/o Apex Clearing Corporatino: Account Number ----2888;

Capital One, N.A.: Account Number ----7424; and,,

Barclays Bank: Account Number ----7937.

All ACH transfer/Fedwire shall contain instructions identifying the case title, civil action number, name of this Court, and Nan Huang as a defendant in this action. All funds transferred

¹ The Commission may promptly present an Order with Nan Huang's unredacted account numbers for *in camera* review and filing under seal.

under this Order shall be credited toward the amount Nan Huang is ordered to pay under paragraph 2 of this Judgment Order.

7. Disgorgement, prejudgment interest and the civil penalty under this Judgment Order is a debt arising from Nan Huang's violation of the federal securities laws or any regulation or order issued under such laws, as detailed in 11 U.S.C. § 523(a)(19).

8. The Clerk shall enter this Final Judgment forthwith and close this matter. Fed. R. Civ. P. 54(b).



KEARNEY, J.