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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,
vs.

Civil Action No. CV06-2247
(CAS)(VBKx)

RAMY Y. EL-BATRAWI, et al.,
Defendants.

FINAL JUDGMENT AS TO DEFENDANT RICHARD J. EVANGELISTA

The Securities and Exchange Commission (“Commission”) having filed a Complaint and Defendant Richard J. Evangelista (“Evangelista”) having entered a general appearance; consented to the Court’s jurisdiction over Evangelista 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.

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
2 Evangelista and his agents, servants, employees, attorneys, and all persons in
3 active concert or participation with them who receive actual notice of this Final
4 Judgment by personal service or otherwise are permanently restrained and enjoined
5 from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”)
6 [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or
7 instruments of transportation or communication in interstate commerce or by use
8 of the mails, directly or indirectly:

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

15 II.

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

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

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

7 III.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
9 Evangelista is liable for disgorgement of \$25,000, representing profits gained as a
10 result of the conduct alleged in the Complaint, and a civil penalty in the amount of
11 \$15,000, pursuant to Section 20(d) of the Securities Act and Section 21(d)(3) of the
12 Exchange Act [15 U.S.C. §§ 77t(d) and 78u(d)(3)]. Evangelista shall pay \$40,000
13 in 2 installments according to the following schedule: (1) \$20,000 within ten (10)
14 business days after entry of this Final Judgment and (2) an additional \$20,000,
15 plus post-judgment interest pursuant to 28 U.S.C. § 1961, within 180 days
16 following entry of this Final Judgment. Each payment is to be made by certified
17 check, bank cashier's check, or United States postal money order payable to the
18 Securities and Exchange Commission. The payments shall be delivered or mailed
19 to the Office of Financial Management, Securities and Exchange Commission,
20 Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia
21 22312, and shall be accompanied by a letter identifying Richard J. Evangelista as a
22 defendant in this action; setting forth the title and civil action number of this action
23 and the name of this Court; and specifying that payment is made pursuant to this
24 Final Judgment. Evangelista shall pay post-judgment interest on any delinquent
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1 amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid
2 pursuant to this paragraph to the United States Treasury.

3 IX.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
5 Consent of Richard J. Evangelista, dated October 13, 2010, is incorporated herein
6 with the same force and effect as if fully set forth herein, and that Evangelista shall
7 comply with all of the undertakings and agreements set forth therein.

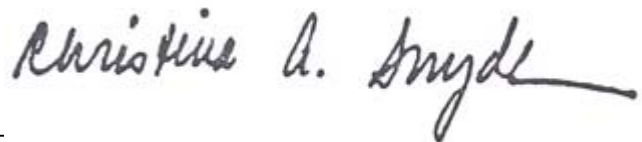
8 VI.

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

12 VIII.

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

16 Dated: April 1, 2010



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18 Honorable Christina A. Snyder
19 UNITED STATES DISTRICT JUDGE
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