

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

RYAN M. JINDRA, ENVISION
INVESTMENT ADVISORS, LLC; and
ENVISION FINANCIAL GROUP, INC.,

Defendants.

8:09CV216

FINAL JUDGMENT AND INJUNCTION

Pursuant to the Memorandum and Order entered this date, defendant Ryan M. Jindra's consent to entry of final judgment, Filing No. [114](#), Attachment 1, and his admission of the factual basis of his plea of guilty in the related criminal case, *United States v. Jindra*, No. 8:10CR43, Filing No. [85](#), Plea Agreement,

IT IS ORDERED:

1. Defendant Ryan M. Jindra and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive notice of this Final Judgment by personal service or otherwise, and each of them, 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 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. Defendant Ryan M. Jindra and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive notice of this Final Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from violating Sections 206(1) and 206(2) of the Investment Advisers Act of 1940 (“Advisers Act”) [15 U.S.C. §§ 80b-6(1) and (2)], by, in connection with the conduct of business as an investment adviser, using the mails or means or instrumentalities of interstate commerce, directly or indirectly, employing devices, schemes or artifices to defraud clients or prospective clients or engaging in transactions, practices or courses of business which operate as a fraud or deceit upon clients or prospective clients.

3. Defendant Ryan M. Jindra and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive notice of this Final Judgment and Injunction by personal service or otherwise, and each of them, are permanently restrained and enjoined from violating Section 206(4) of the Advisers Act [15 U.S.C. § 80b-6(4)] and Rule 206(4)-7 thereunder [17 C.F.R. § 275.206(4)-7] by, in connection with the conduct of business as an investment adviser, using the mails or means or instrumentalities of interstate commerce, directly or indirectly, employing devices, schemes or artifices to defraud clients or prospective

clients or engaging in transactions, practices or courses of business which operate as a fraud or deceit upon clients or prospective clients.

4. Defendant Ryan M. Jindra and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive notice of this Final Judgment and Injunction by personal service or otherwise, and each of them, are permanently restrained and enjoined from violating Section 204 of the Advisers Act [15 U.S.C. § 80b-4] and Rule 204-2(a)(7)(B) thereunder [17 C.F.R. § 275.204-2(a)(7)(B)], by failing to make and keep required records as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors or to make available such records to the Commission for examination.

5. Defendant is liable for disgorgement of \$484,235.52 representing profits gained as a result of the conduct alleged in the Complaint, which is deemed satisfied by the order of restitution in the related criminal case of *United States v. Jindra*, No. 8:10CR43, Filing No. [101](#).

DATED this 25th day of September, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge