

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 10-CV-80737-HURLEY/HOPKINS

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
TRADE-LLC,)
PHILIP W. MILTON, and)
WILLIAM H. CENTER,)
)
Defendants,)
)
CENTER RICHMOND LLC,)
BD LLC, and)
TWTT-LLC,)
)
Relief Defendants.)
_____)

**FINAL JUDGMENT SETTING DISGORGEMENT, PREJUDGMENT INTEREST AND
CIVIL PENALTY AND OTHER RELIEF AGAINST DEFENDANT WILLIAM H.
CENTER**

Plaintiff Securities and Exchange Commission having filed a Complaint seeking that the Court enter an order which, among other things, permanently enjoined Defendant William H. Center (“Center”) from violating the antifraud and other provisions of the federal securities laws, and required him to pay disgorgement, prejudgment interest and a civil penalty. On August 13, 2010, the Court entered a Judgment of Permanent Injunction and Other Relief Against Center. [DE 39]. Therein, the Court permanently enjoined him from violating Sections 10(b) and 15(a) and Rule 10b-5 of the Securities Exchange Act of 1934 (“Exchange Act”) and Sections 206(1) and (2) of the Investment Advisers Act of 1940 (“Advisers Act”).

Now, pursuant to the attached Consent of Defendant William H. Center to Final Judgment Setting Disgorgement, Prejudgment Interest and Civil Penalty and Other Relief (“Consent”), the Commission’s seeks to have the Court set the amount of disgorgement, prejudgment interest and civil penalty that Center shall pay. Through the attached Consent, Center has, among other things, consented to the Court’s jurisdiction over him and the subject matter of this action, consented to the entry of this Final Judgment Setting Disgorgement, Prejudgment Interest and Civil Penalty and Other Relief Against William H. Center (“Final Judgment”) without admitting or denying the allegations of the Complaint (except as to subject matter and personal jurisdiction), waived findings of fact and conclusions of law, and waived any right to appeal from this Judgment; and the Court accepting such Consent and having jurisdiction over Center and the subject matter of this action. Accordingly, the Court enters Final Judgment against Center as follows:

I.

DISGORGEMENT AND PREJUDGMENT INTEREST

IT IS ORDERED AND ADJUDGED that Defendant William H. Center, a resident of Richmond, Virginia, shall pay disgorgement in the amount of \$1,409,237, representing the ill-gotten gains he received as a result of his violations of the federal securities laws. In addition, Center shall pay prejudgment interest in the amount of \$102,939.

II.

CIVIL MONEY PENALTY

IT IS FURTHER ORDERED AND ADJUDGED that pursuant to Section 21(d)(3) of the Exchange Act and Section 209(e) of the Advisers Act, Defendant William H. Center, a resident of Richmond, Virginia, is hereby ordered to pay a civil penalty in the amount of \$150,000.

III.

PAYMENT INSTRUCTIONS

IT IS FURTHER ORDERED AND ADJUDGED that Defendant William H. Center shall pay a total of \$1,662,176, representing the total amount of disgorgement, prejudgment interest and civil penalty he is being ordered to pay, within thirty (30) days after the entry of this Final Judgment to the Court-appointed Receiver, Jeffrey Schneider, in this action by cashier's check, certified check, or postal money order, under cover of a letter that identifies the name and number of this action, with a copy to Christopher E. Martin, Esq., Securities and Exchange Commission, 801 Brickell Avenue, Suite 1800, Miami, Florida, 33131. If Center fails to pay the total amount due within thirty (30) days after the entry of this Final Judgment, post judgment interest shall accrue pursuant to 28 USC § 1961 on the total unpaid amount.

Center shall not seek or accept, directly or indirectly, reimbursement or indemnification from any source, including but not limited to payment made pursuant to any insurance policy, with regard to any civil penalty amount he pays pursuant to this Final Judgment, regardless of whether such penalty amounts or any party thereof are added to a distribution fund or otherwise used for the benefit of investors. Center further shall not claim, assert, or apply for tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts Center pays pursuant to this Final Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors.

IV.

INCORPORATION OF CONSENT

IT IS FURTHER ORDERED AND ADJUDGED that Center's Consent is incorporated herein with the same force and effect as if fully set forth herein.

V.

RETENTION OF JURISDICTION


IT IS HEREBY FURTHER ORDERED AND ADJUDGED that all prior orders and judgments of this Court remain in full force and effect, including the provisions of the Judgment of Permanent Injunction and Other Relief against Center (DE 39) that permanently enjoined Center from violating Sections 10(b) and 15(a) and Rule 10b-5 of the Exchange Act and Sections 206(1) and (2) of the Advisers Act. In addition, this Court shall retain jurisdiction over this matter and Center in order to implement and carry out the terms of this Order and all other Orders, judgments and decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court. The Court also retains jurisdiction to order any other relief that this Court deems appropriate under the circumstances.

VI.

CERTIFICATION UNDER RULE 54(b)

IT IS HEREBY 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 of the Court is ordered to enter this Final Judgment forthwith and without further notice.

DONE AND ORDERED this 2ND day of Nov., 2011 at West Palm Beach, Florida.


DANIEL T.K. HURLEY
UNITED STATES DISTRICT JUDGE

Copies to all counsel and parties of record