

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE
COMMISSION,

JUDGMENT
11-CV- 5970 (ARR)

Plaintiff,

-against-

GIUSEPPE PINO BALDASSARRE,
ROBERT MOUALLEM, and MALCOLM
STOCKDALE,

Defendants.

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An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on May 29, 2014, adopting in its entirety the Report and Recommendation of Magistrate Judge Viktor V. Pohorelsky, dated April 15, 2014, after a review of the record; granting Plaintiff's motion for a default judgment against Defendant Malcolm Stockdale; enjoining Malcolm Stockdale from committing further violations of the federal securities laws and from engaging in future offerings of penny stock; directing the Clerk of Court to enter judgment against Malcolm Stockdale for a civil penalty in the amount of \$50,000.00; ordering that Stockdale is liable for disgorgement of \$20,335.00, representing profits gained as a result of the unlawful conduct, together with prejudgment interest in the amount of \$2,643.55, for a total of \$22,978.55, which liability is deemed fully satisfied by the forfeiture order entered against Stockdale and his co-Defendants in the parallel criminal proceeding; it is

ORDERED and ADJUDGED that Plaintiff's motion for a default judgment is granted against Defendant Malcolm Stockdale for a civil penalty in the amount of \$50,000.00; and that it is further,

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ORDERED and ADJUDGED that Defendant Malcolm Stockdale is liable for \$22,978.55, which liability is deemed fully satisfied by the forfeiture order entered against Defendant Malcolm Stockdale and his co-Defendants in the parallel criminal proceeding; and that it is further,

ORDERED, ADJUDGED, AND DECREED that Defendant Malcolm Stockdale and Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final 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 Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.1 Ob-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.

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ORDERED, ADJUDGED, AND DECREED that Defendant Malcolm Stockdale and Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

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

ORDERED, ADJUDGED, AND DECREED that Defendant Malcolm Stockdale is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock, as defined in Section 3(a)(51) of

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the Exchange Act [15 U.S.C § 78(c)(a)(51)]. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].

Dated: Brooklyn, New York
May 30, 2014

Douglas C. Palmer
Clerk of Court
by: /s/ Janet Hamilton
Deputy Clerk