

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JAMES J. KONAXIS,

Defendant.

C.A. No. 11-10489 (DJC)

~~PROPOSED~~ FINAL JUDGMENT AS TO DEFENDANT JAMES J. KONAXIS

The Securities and Exchange Commission having filed a Complaint and Defendant James J. Konaxis (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; and previously waived any right to appeal, other than any appeal of the Court’s Order of March 6, 2012 as to the amounts of disgorgement, prejudgment interest and civil penalty to be paid by Defendant:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this Final Judgment incorporates by reference as if fully set forth herein the Judgment as to Defendant James J. Konaxis (with the exception of Part IV thereto) previously entered on April 5, 2011 (ECF Docket Entry No. 5).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$483,460.23, together with prejudgment interest thereon in the amount of \$31,494.44, for a total of \$514,954.67. The Commission may enforce the Court’s

Final Judgment for disgorgement and prejudgment interest by any legally permissible means at any time after 14 days following entry of this Final Judgment, and Defendant may assert in response any legally permissible defense. Payments under this paragraph shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, 100 F Street, NE, Mail Stop 6042, Washington DC 20549, and shall be accompanied by a letter identifying James J. Konaxis as the Defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant relinquishes all legal and equitable right, title, and interest in such payments, and no part of the funds shall be returned to Defendant. Post-judgment interest on any delinquent amounts shall be paid by the Defendant pursuant to 28 USC § 1961.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$10,000 pursuant to Section 21(3)(A) of the Securities Exchange Act of 1934 [15 U.S.C. § 78u(d)(3)(A)]. The Commission may enforce the Court's Final Judgment for a civil penalty by any legally permissible means at any time after 14 days following entry of this Final Judgment, and Defendant may assert in response any legally permissible defense. Payments under this paragraph shall be made by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, 100 F Street, NE, Mail Stop 6042, Washington DC 20549, and shall be accompanied by a letter identifying Konaxis as the Defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and

specifying that payment is made pursuant to this Final Judgment. Post-judgment interest on any delinquent amounts shall be paid by the Defendant pursuant to 28 USC § 1961.

IV.

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

Dated: March 14, 2012

  
UNITED STATES DISTRICT JUDGE