

FILED

2018 JUN 29 PM 4:50

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WESTERN DISTRICT OF TEXAS

BY g

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MICHAEL A. BAKER
AND MICHAEL T. GLUK,

Defendants.

Civil Action No. A-12-cv-285-SS

AGREED FINAL JUDGMENT AS TO DEFENDANT MICHAEL A. BAKER

The Securities and Exchange Commission filed a Complaint, and Defendant Michael A. Baker ("Baker" or "Defendant") entered a general appearance; consented to the Court's jurisdiction over Defendant and over the subject matter of this action; consented to the entry of this Final Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment. Therefore:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for violating Section 304(a) of the Sarbanes-Oxley Act of 2002, 15 U.S.C. § 7243(a). However, in light of the final judgment against Baker in the parallel criminal action styled *United States v. Baker and Gluk*, Crim. Action No. 1:13-cr-346-SS, in the United States District Court for the Western District of Texas, Austin Division, the Court imposes no monetary relief against Defendant in this action.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is barred



from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78I] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the undertakings and agreements set forth therein.

IV.

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

V.

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

Dated: 6/29/18

Bamspark
UNITED STATES DISTRICT JUDGE

Approved as to form:

s/ Tyler G. Newby

Tyler G. Newby
Fenwick & West LLP
555 California St.
12th Floor
San Francisco, CA 94104
Ph: 415-875-2495
Fax: 650-281-1350
Attorney for Defendant Michael A. Baker

s/ Jennifer D. Brandt

Jennifer D. Brandt
United States Securities and Exchange Commission
Burnett Plaza, Suite 1900
801 Cherry Street, Unit 18
Fort Worth, Texas 76102
Phone: (817) 978-6442
Fax: (817) 978-4927
brandtj@sec.gov
Counsel for Plaintiff Securities and Exchange Commission