

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

Case No.: 12-CV-80021-RYSKAMP/HOPKINS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

IMPERIALI, INC. et al.,

Defendants.

FINAL JUDGMENT AS TO DEFENDANT LAWRENCE O'DONNELL

THIS CAUSE comes before the Court on its order adopting the Magistrate's report and recommendations and granting Plaintiff Securities and Exchange Commission ("Plaintiff") summary judgment [**DE 163**] entered on October 8, 2013. The Court found Defendant Lawrence A. O'Donnell ("Defendant") violated the federal securities laws set forth in the complaint in this matter. After supplemental briefing as to Plaintiff's request for monetary and injunctive relief, the Court finds Plaintiff has made a proper showing that a permanent injunction is warranted against Defendant. Given the extensive nature of the relief granted, the Court declines to impose a civil penalty against Defendant. *See S.E.C. v. Warren*, 534 F.3d 1368, 1369 (11th Cir 2008) (the imposition of a civil penalty is left to the discretion of the court). Accordingly, **FINAL JUDGMENT** is hereby entered in favor of Plaintiff and against Defendant as follows:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant 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. § 240.10b-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.

II.

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

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 7 day of November, 2013.

/s/ Kenneth L. Ryskamp
KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE