

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 12-81033-CIV-MIDDLEBROOKS/BRANNON

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JOSEPH HILTON, F/K/A JOSEPH YURKIN,
et al.,

Defendants.

FINAL JUDGMENT AS TO DEFENDANT JOSEPH HILTON

Plaintiff Securities and Exchange Commission commences this action by filing its Complaint against, among others, Defendant Joseph Hilton, formerly known as Joseph Yurkin. Hilton previously entered a general appearance and consented to the Court's jurisdiction over him and the subject matter of this action. Hilton also previously consented to:

- (1) A permanent injunction to prohibit violations of Sections 5(a) and 5(c) of the Securities Act of 1993 ("Securities Act"), 15 U.S.C. §§ 77e(a) and 77e(c); Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a); Section 10(b) and Rule 10b-5 of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5; and Section 15(a)(1) of the Exchange Act, 15 U.S.C. § 78o(a)(1);
- (2) The Commission's entitlement to disgorgement and prejudgment interest;
- (3) A civil money penalty pursuant to Section 21A of the Exchange Act, 15 U.S.C. § 78u-1, and Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d); and
- (4) An Order to comply with the broker-dealer bar the Commission previously issued against him, pursuant to Section 21(e) of the Exchange Act, 15 U.S.C. §§ 78u(e).

Without admitting or denying the allegations of the Complaint (except as to subject matter and personal jurisdiction), Hilton, by the attached Consent to Final Judgment, now having waived findings of fact and conclusions of law, and waived any right to appeal from this Final Judgment, and this Court having accepted Hilton's Consent, having jurisdiction over Hilton and the subject matter of this action:

I.

DISGORGEMENT, PREJUDGMENT INTEREST, AND CIVIL PENALTY

IT IS HEREBY ORDERED AND ADJUDGED that Hilton shall pay: (1) jointly and severally with Defendant New Horizon Publishing, Inc., disgorgement of \$2,500,000, representing profits gained as a result of the conduct alleged in the Complaint, and prejudgment interest thereon in the amount of \$37,485, for a total of \$2,537,485; (2) individually, disgorgement of \$1,553,938, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$23,300, for a total of \$1,577,938; and (3) a civil penalty of \$1,000,000 pursuant to Section 21A of the Exchange Act and Section 20(d) of the Securities Act, for a total of \$5,115,423. Hilton shall satisfy this obligation by paying \$5,115,423 to the Court's Registry within 14 days after entry of this Final Judgment.

Hilton shall pay \$5,115,423 within fourteen days of the date of this Order to the Registry of this Court by cashier's check, certified check, or postal money order, under cover of a letter that identifies the name and number of this action and includes a copy of this Final Judgment, with a copy to Amie R. Berlin, Esq., Securities and Exchange Commission, 801 Brickell Avenue, Suite 1800, Miami, Florida 33131. By making this payment, Hilton relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Hilton.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Hilton shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

Hilton 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 amounts that Hilton pays pursuant to the 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. Hilton shall not claim, assert, or apply for a tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts that Hilton pays pursuant to the 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.

II.

INCORPORATION OF HILTON'S CONSENT

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

III.

RETENTION OF JURISDICTION

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

IV.

CERTIFICATION UNDER RULE 54(b)

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

DONE AND ORDERED in Chambers at West Palm Beach, Florida this 19th day of March, 2014.



DONALD MIDDLEBROOKS
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record