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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

GARY YIN,

Defendant.

Case No. 13-CV-2270-WVG
**FINAL JUDGMENT AS TO
DEFENDANT GARY YIN**

The Securities and Exchange Commission having filed a Complaint and Defendant Gary Yin having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is 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

1 of any national securities exchange, in connection with the purchase or sale of any
2 security:

- 3 (a) to employ any device, scheme, or artifice to defraud;
- 4 (b) to make any untrue statement of a material fact or to omit to state a
5 material fact necessary in order to make the statements made, in the light
6 of the circumstances under which they were made, not misleading; or
- 7 (c) to engage in any act, practice, or course of business which operates or
8 would operate as a fraud or deceit upon any person.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided
10 in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the
11 following who receive actual notice of this Final Judgment by personal service or
12 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and
13 (b) other persons in active concert or participation with Defendant or with anyone
14 described in (a).

15 **II.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
17 is liable for disgorgement of \$27,444.02, plus prejudgment interest of \$2,348.77, which
18 is deemed satisfied by the Order of Forfeiture entered against Defendant in *United*
19 *States v. Yin*, Crim. No. 13-CR-3488-WQH, in the U.S. District Court for the Southern
20 District of California.

21 **III.**

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

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1 **IV.**

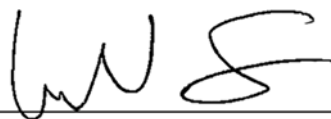
2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the SEC has
3 determined to forgo seeking a civil penalty against Defendant, and the claim for a civil
4 penalty against Defendant is hereby DISMISSED with prejudice.

5 **V.**

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
7 shall retain jurisdiction of this matter until October 14, 2023 for the purposes of
8 enforcing the terms of this Final Judgment.

9 IT IS SO ORDERED.

10 DATED: April 24, 2018

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Hon. William V. Gallo
13 United States Magistrate Judge
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