

Sullivan, L

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JUN 27 2014

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

PAUL KONIGSBERG,

Defendant.

RECEIVED
JUN 25 2014
CHAMBERLAIN
LAURA TAYLOR SWAN
U.S.D.J.

13 Civ 6859 (LTS)

~~[PROPOSED]~~ FINAL JUDGMENT ON CONSENT

The Securities and Exchange Commission having filed a Complaint and Defendant Paul Konigsberg ("Defendant" or "Konigsberg") 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 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, facsimile service, telephonic notice, notice by e-mail or otherwise, are permanently enjoined from aiding or abetting any broker or dealer's violation of Section 17(a) of the Securities Exchange Act of 1934 [15 U.S.C. § 78q(a)] and Rule 17a-3 thereunder [17 C.F.R. § 240.17a-3] by failing to make, maintain on such broker's or dealer's premises, or keep accurate, books and

records required by law, including, but not limited to, account statements, ledgers, blotters and journals.

II.

IT IS FURTHER ORDERED 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, facsimile service, telephonic notice, notice by e-mail or otherwise, are permanently enjoined from aiding and abetting any investment adviser from violating Section 204 of the Investment Advisers Act of 1940 [15 U.S.C. § 80b-4] and Rule 204-2 thereunder [17 C.F.R. § 275.204-2] by failing to make, maintain on such investment adviser's premises, or keep accurate, books and records required by law, including, but not limited to, account statements, ledgers, blotters and journals.

III.

IT IS FURTHER ORDERED that no disgorgement shall be ordered against Konigsberg in this civil action, based on Konigsberg's settlement with the trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), and the restitution ordered in United States v. Konigsberg, 10 Cr. 228 (S.D.N.Y.).

IV.

IT IS FURTHER ORDERED that no civil penalty shall be ordered against Konigsberg in this civil action, based on Konigsberg's criminal conviction in United States v. Konigsberg, 10 Cr. 228 (S.D.N.Y.).

V.

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

Dated: JUNE 26, 2014



UNITED STATES DISTRICT JUDGE *dm*