

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 13-60637-CIV-ZLOCH

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

**ORDER AND FINAL JUDGMENT
SETTING CIVIL MONEY PENALTY
AS TO
DEFENDANT ROBERT B. COOK**

E-MONEE.COM, INC., ESTUARDO
BENAVIDES, and ROBERT B. COOK,

Defendants.

_____/

THIS MATTER is before the Court on Plaintiff Securities and Exchange Commission's Motion for Final Judgment Setting Civil Money Penalty as to Defendant Robert B. Cook (DE 39) and Defendant Robert B. Cook's Motion To Strike Plaintiff's Motion For Entry Of Final Judgment Setting Civil Money Penalty Against Defendant (DE 40). The Court has carefully reviewed said Motions, the entire court file and is otherwise fully advised in the premises.

The Court notes that by a Consent Final Judgment and Permanent Injunction (DE 37) was previously entered in the above-styled cause as to Defendant Robert B. Cook. Mr. Cook consented to the entry of said Consent Final Judgment, which included a civil money penalty.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED as follows:

1. Defendant Robert B. Cook's Motion To Strike Plaintiff's Motion For Entry Of Final Judgment Setting Civil Money Penalty Against Defendant (DE 40) be and the same is hereby **DENIED**.

2. Plaintiff Securities and Exchange Commission's Motion for Final Judgment Setting Civil Money Penalty as to Defendant Robert B. Cook (DE 39) be and the same is hereby **GRANTED**.

3. Mr. Robert B. Cook, who resides in Tequesta, FL, shall pay a third tier civil penalty in the amount of \$150,000.00, pursuant

to Section 20(d) of the Securities Act of 1933, 15 U.S.C. § 77t(d). Mr. Cook shall make this payment within 14 days after entry of this Final Judgment. Mr. Cook may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment also may be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Mr. Cook also may pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter (i) identifying the case title, civil action number, and name of this Court; (ii) identifying Mr. Cook as a Defendant in this action; and (iii) specifying that payment is made pursuant to this Final Judgment. Mr. Cook shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action:

Christopher E. Martin, Esq.
Securities & Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131

4. By making this payment, Mr. Cook relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to him. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury. Mr. Cook shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961. Additionally, Mr. Cook 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 amount paid pursuant to this Final Judgment, regardless of whether such penalty amounts or any party thereof are added to a distribution fund or otherwise used for the benefit of investors. Mr. Cook further shall not claim, assert, or apply for tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts any of them pays pursuant to this 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.

5. Solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the allegations in the Complaint are true and admitted by Mr. Cook, and further, any debt for civil penalty or other amounts due by Mr. Cook under this Final Judgment is a debt for the violation by Mr. Cook of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

6. This Court shall retain jurisdiction of this matter and of Mr. Cook for the purposes of enforcing the terms of this Final Judgment and the Court's previously entered Consent Final Judgment and Permanent Injunction (DE 37).

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 11th day of December, 2014.



WILLIAM J. BLOCH
UNITED STATES DISTRICT JUDGE

Copies furnished:

All Parties and Counsel of Record