

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

CASE NO.: 8:14-cv-1203-T-30MAP

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

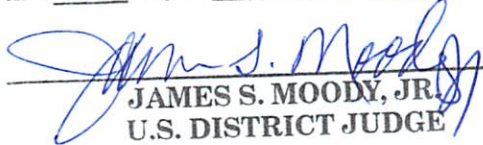
GAETON S. DELLA PENNA, :

Defendant, and :

GAETON CAPITAL ADVISORS, LLC, :

Relief Defendant. :

This motion/petition/stipulation has been duly
considered and is hereby GRANTED,
this 6 day of NOVEMBER, 20 15.


JAMES S. MOODY, JR.
U.S. DISTRICT JUDGE

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF ITS CLAIMS
FOR DISGORGEMENT AND CIVIL PENALTY AGAINST DEFENDANT GAETON
DELLA PENNA AND RELIEF DEFENDANT GAETON CAPITAL ADVISORS, LLC.**

Plaintiff Securities and Exchange Commission files this Notice of Voluntary Dismissal of its claim for disgorgement and civil penalty against Defendant Gaeton Della Penna and its disgorgement claim against Relief Defendant Gaeton Capital Advisors, LLC ("Gaeton Capital").

On September 23, 2014, the Commission filed a Motion for Entry of Default Judgment of Permanent Injunction against Della Penna. [DE 13] In the Motion, the Commission sought judgment on its claim for permanent injunction. Della Penna did not respond to the Motion. On September 24, 2014, the Court entered an Order Granting the Default Judgment. [DE 14] The Commission now voluntarily dismisses its civil penalty and disgorgement claims against Della Penna and its disgorgement claim against Gaeton Capital because of the sanctions imposed against Della Penna in a related criminal case. (*United States v. Gaeton Della Penna*, 8:14-cr-00203) The dismissal of these claims resolves all claims asserted by the Commission in this action.