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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JUSTIN MOONGYU LEE;
REBECCA TAEWON LEE;
THOMAS EDWARD KENT;
AMERICAN IMMIGRANT
INVESTMENT FUND I, LLC;
BIOFUEL VENTURE IV, LLC;
BIOFUEL VENTURE V, LLC;
NEXLAND, INC., dba NEXLAND
INVESTMENT GROUP; and
NEXSUN ETHANOL, LLC,

Defendants.

Case No. 2:14-cv-06865 RGK (Ex)

**FINAL JUDGMENT AS TO
DEFENDANT REBECCA TAEWON
LEE**

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Rebecca Taewon Lee having entered a general appearance; consented to
3 the Court’s jurisdiction over Defendant and the subject matter of this action;
4 consented to entry of this Final Judgment without admitting or denying the
5 allegations of the Complaint (except as to jurisdiction and except as otherwise
6 provided herein in paragraph V); waived findings of fact and conclusions of law; and
7 waived any right to appeal from this Final Judgment:

8 **I.**

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
10 permanently restrained and enjoined from violating Section 17(a) of the Securities
11 Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any
12 security by the use of any means or instruments of transportation or communication
13 in interstate commerce or by use of the mails, directly or indirectly:

- 14 (a) to employ any device, scheme, or artifice to defraud;
15 (b) to obtain money or property by means of any untrue statement of a
16 material fact or any omission of a material fact necessary in order to
17 make the statements made, in light of the circumstances under which
18 they were made, not misleading; or
19 (c) to engage in any transaction, practice, or course of business which
20 operates or would operate as a fraud or deceit upon the purchaser.

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

27 **II.**

28 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant

1 is permanently restrained and enjoined from violating, directly or indirectly, Section
2 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. §
3 78j(b)] and Rules 10b-5(a) and 10b-5(c) promulgated thereunder [17 C.F.R. §§
4 240.10b-5(a) & 240.10b-5(c)], by using any means or instrumentality of interstate
5 commerce, or of the mails, or of any facility of any national securities exchange, in
6 connection with the purchase or sale of any security:

7 (a) to employ any device, scheme, or artifice to defraud; or

8 (b) to engage in any act, practice, or course of business which operates or
9 would operate as a fraud or deceit upon any person.

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

16 **III.**

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
18 is liable for disgorgement of \$92,255.85, representing profits gained as a result of the
19 conduct alleged in the Complaint, together with prejudgment interest thereon in the
20 amount of \$13,207.31, for a total of \$105,463.16. Defendant shall satisfy this
21 obligation by paying \$105,463.16 to the Securities and Exchange Commission within
22 14 days after entry of this Final Judgment. Defendant may transmit payment
23 electronically to the Commission, which will provide detailed ACH transfer/Fedwire
24 instructions upon request. Payment may also be made directly from a bank account
25 via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>.
26 Defendant may also pay by certified check, bank cashier’s check, or United States
27 postal money order payable to the Securities and Exchange Commission, which shall
28 be delivered or mailed to

1 Enterprise Services Center
2 Accounts Receivable Branch
3 6500 South MacArthur Boulevard
4 Oklahoma City, OK 73169

5 and shall be accompanied by a letter identifying the case title, civil action number,
6 and name of this Court; Rebecca Taewon Lee as a defendant in this action; and
7 specifying that payment is made pursuant to this Final Judgment. Defendant shall
8 simultaneously transmit photocopies of evidence of payment and case identifying
9 information to the Commission’s counsel in this action. By making this payment,
10 Defendant relinquishes all legal and equitable right, title, and interest in such funds
11 and no part of the funds shall be returned to Defendant. The Commission shall hold
12 the funds (collectively, the “Fund”) and may propose a plan to distribute the Fund
13 subject to the Court’s approval. The Court shall retain jurisdiction over the
14 administration of any distribution of the Fund. If the Commission staff determines
15 that the Fund will not be distributed, the Commission shall send the funds paid
16 pursuant to this Final Judgment to the United States Treasury. The Commission may
17 enforce the Court’s judgment for disgorgement and prejudgment interest by moving
18 for civil contempt (and/or through other collection procedures authorized by law) at
19 any time after 14 days following entry of this Final Judgment. Defendant shall pay
20 post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

21 **IV.**

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
23 shall pay a civil penalty in the amount of \$92,255.85 to the Securities and Exchange
24 Commission pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and
25 Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant shall make
26 this payment within 14 days after entry of this Final Judgment. Defendant may
27 transmit payment electronically to the Commission, which will provide detailed ACH
28 transfer/Fedwire instructions upon request. Payment may also be made directly from

1 a bank account via Pay.gov through the SEC website at
2 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
3 check, bank cashier's check, or United States postal money order payable to the
4 Securities and Exchange Commission, which shall be delivered or mailed to

5 Enterprise Services Center
6 Accounts Receivable Branch
7 6500 South MacArthur Boulevard
8 Oklahoma City, OK 73169

9 and shall be accompanied by a letter identifying the case title, civil action number,
10 and name of this Court; Rebecca Taewon Lee as a defendant in this action; and
11 specifying that payment is made pursuant to this Final Judgment. Defendant shall
12 simultaneously transmit photocopies of evidence of payment and case identifying
13 information to the Commission's counsel in this action. By making this payment,
14 Defendant relinquishes all legal and equitable right, title, and interest in such funds
15 and no part of the funds shall be returned to Defendant. The Commission shall send
16 the funds paid pursuant to this Final Judgment to the United States Treasury.

17 Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28
18 USC § 1961.

19 **V.**

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for
21 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
22 11 U.S.C. § 523, the allegations in the complaint are true and admitted by Defendant,
23 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
24 amounts due by Defendant under this Final Judgment or any other judgment, order,
25 consent order, decree or settlement agreement entered in connection with this
26 proceeding, is a debt for the violation by Defendant of the federal securities laws or
27 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of
28 the Bankruptcy Code, 11 U.S.C. § 523(a)(19).

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VI.

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

VII.

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

Dated: September 21, 2015



HONORABLE R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE