

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 14-61197-CIV-ZLOCH

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ERIC S. BROWN,

Defendant.

FINAL JUDGMENT AS TO
DEFENDANT ERIC S. BROWN

THIS MATTER is before the Court upon the Commission's Motion and Memorandum of Law to Set Disgorgement, Prejudgment Interest, and Civil Penalty Amounts as to Defendant Eric S. Brown (DE 13). The Court has carefully reviewed said Motion, the entire court file herein, and is otherwise fully advised in the premises.

This Court previously entered an Amended Default Final Judgment (DE 10) against Defendant Eric S. Brown. Among other things, the Judgment permanently restrained and enjoined Brown from violating: (1) Section 17(a)(1) of the Securities Act of 1933 (the "Securities Act"), 15 U.S.C. § 77q(a); and (2) Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78j(b), and Exchange Act Rules 10b-5(a) and (c), 17 C.F.R. §§ 240.10b-5(a) and (c). DE 10 at pp. 2-3. That Default Final Judgment remains in full force and effect.

The Default Final Judgment also provided that the Court shall determine the amounts of the disgorgement, prejudgment interest thereon, and a civil penalty upon the Commission's motion pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3). DE 10 at pp. 3-4.

Accordingly, after due consideration, it is

ORDERED AND ADJUGED as follows:

1. Plaintiff's Motion and Memorandum of Law to Set Disgorgement, Prejudgment Interest, and Civil Penalty Amounts as to Defendant Eric S. Brown (DE 13) be and the same is hereby **GRANTED**;

2. Defendant Eric S. Brown be and the same is hereby liable for: (1) disgorgement of \$3,970.00, representing profits gained as a result of the conduct alleged in the Complaint; (2) prejudgment interest thereon in the amount of \$350.82; and (3) a civil penalty in the amount of \$7,500.00 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d); and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3), for a total of \$11,820.82. Defendant shall satisfy this obligation by paying \$11,820.82 to the Securities and Exchange Commission within fourteen (14) days from the date of this Final Judgment;

3. Brown may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire

instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Brown may also 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 identifying the case title, civil action number, and name of this Court; Brown as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment;

4. Brown shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Brown relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Brown. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury;

5. The Commission may enforce the Court's judgment for disgorgement and prejudgment interest, by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of the Final

Judgment. Brown shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961; and

6. This Court shall retain jurisdiction over this matter and Brown in order to implement and carry out the terms of this Final Judgment and all Orders and Decrees that may be entered, and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court.

DONE AND ORDERED in Chambers in Fort Lauderdale, Florida, this 29th day of April, 2015.



WILLIAM J. ZLOCH
UNITED STATES DISTRICT JUDGE