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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

PAUL LEE MOORE,

Defendant.

Case No. 15CV1575 CAB NLS

**FINAL JUDGMENT AS TO
DEFENDANT PAUL LEE MOORE**

1 The Securities and Exchange Commission (“SEC”) having filed a Complaint
2 and Defendant Paul Lee Moore having entered a general appearance; consented to the
3 Court’s jurisdiction over Defendant and the subject matter of this action; consented to
4 entry of a bifurcated judgment; waived findings of fact and conclusions of law; and
5 waived any right to appeal from the bifurcated judgment; the Court having entered a
6 bifurcated consent judgment against Defendant on September 16, 2015 enjoining him
7 from violations of the federal securities laws and providing that Defendant’s payment
8 of disgorgement, prejudgment interest thereon, and a civil penalty shall be
9 determined upon motion of the Commission (Dkt. No. 7, Section IV); and the SEC
10 having determined to forego seeking and withdraw its claims for disgorgement,
11 prejudgment interest thereon, and a civil penalty in light of Defendant’s sentence and
12 order of restitution in his parallel criminal case (*United States v. Moore*, Case No. 15-
13 CR-1829-BAS (S.D. Cal.);

14 In accordance with the Stipulation To Dismiss Claims For Disgorgement
15 Prejudgment Interest, and a Civil Penalty Against Defendant filed on April 12, 2016
16 by the SEC, and good cause being shown:

17 I.

18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
19 permanently restrained and enjoined from violating, directly or indirectly, Section
20 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. §
21 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using
22 any means or instrumentality of interstate commerce, or of the mails, or of any
23 facility of any national securities exchange, in connection with the purchase or sale of
24 any security:

- 25 (a) to employ any device, scheme, or artifice to defraud;
- 26 (b) to make any untrue statement of a material fact or to omit to state a
27 material fact necessary in order to make the statements made, in the light
28 of the circumstances under which they were made, not misleading; or

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

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
4 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
5 binds the following who receive actual notice of this Judgment by personal service or
6 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and
7 (b) other persons in active concert or participation with Defendant or with anyone
8 described in (a).

9 II.

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

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

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

1 III.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
3 Defendant is permanently restrained and enjoined from violating, directly or
4 indirectly, Sections 206(1), 206(2) and 206(4) of the Investment Advisers Act
5 (“Advisers Act”) [15 U.S.C. § 80b-6(1), (2) and (4)], and Rule 206(4)-8 promulgated
6 thereunder [17 C.F.R. § 275.206(4)-8], by using the mails or any means of
7 instrumentality of interstate commerce:

- 8 (a) to employ any device, scheme, or artifice to defraud any client or
9 prospective client;
10 (b) to engage in any transaction, practice, or course of business which
11 operates as a fraud or deceit upon any client or prospective client; or
12 (c) to engage in any act, practice, or course of business which is fraudulent,
13 deceptive, or manipulative.

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

20 IV.

21 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
22 the claims of Plaintiff SEC for disgorgement, prejudgment interest thereon, and a
23 civil penalty against Defendant are hereby dismissed.

24 V.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
26 Defendant’s September 15, 2015 Consent (Dkt. No. 6) is incorporated herein with the
27 same force and effect as if fully set forth herein, and that Defendant shall comply
28 with all of the undertakings and agreements set forth therein.

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 Judgment.

Dated: April 14, 2016



Hon. Cathy Ann Bencivengo
United States District Judge

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