

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOSÉ G. RAMÍREZ, JR.

Defendant.

CIVIL NO. 15-2365 (PAD)

JUDGMENT

In accordance with the Opinion and Order issued today (Docket No. 98):

(1) **Permanent Injunction (Securities and Exchange Act, Rule 10b-5)**. Defendant José Ramírez, Jr. is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (15 U.S.C. § 78j(b)) and Rule 10b-5 promulgated thereunder (17 C.F.R. § 240.10b-5), by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

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Further, as provided in Federal Rule of Civil Procedure 65(d)(2), Paragraph 1 also binds the following persons upon actual notice of this Judgment by personal service or otherwise: (a) Defendant's agents, servants, and employees; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

(2) Permanent Injunction (Securities Act). Defendant José Ramírez, Jr. is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (15 U.S.C. § 77q(a)) in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

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

Further, as provided in Federal Rule of Civil Procedure 65(d)(2), Paragraph 2 also binds the following persons who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's agents, servants, and employees; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

(3) Disgorgement, Prejudgment Interest. Defendant José Ramírez, Jr., is liable for disgorgement in the amount of \$1,520,576.29, representing profits gained as a result of the conduct described in the Opinion and Order issued today, together with prejudgment interest thereon in the

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amount of \$265,310.36, for a total of \$1,785,886.65. Defendant shall satisfy this obligation by paying \$1,785,886.65 to the Securities and Exchange Commission (hereinafter also referred to as “SEC”) within 60 days after entry of this Judgment.

PAYMENT

Defendant may transmit payment electronically to the SEC, 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>, or 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; Jose G. Ramírez, Jr. as a defendant in this action; and specifying that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission’s counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant.

FUNDS

The SEC shall hold the funds (collectively, the “Fund”) and may propose a plan to distribute the Fund subject to the Court’s approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the SEC staff determines that the Fund will not

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be distributed, the SEC shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The SEC 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 60 days following entry of this Judgment. Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

(4) Civil Penalty. The SEC's civil penalty claim for relief is hereby DISMISSED WITH PREJUDICE.

(5) Jurisdiction. The court retains jurisdiction of this matter to enforce the terms of this Judgment.

SO ORDERED.

In San Juan, Puerto Rico, this 31st day of March, 2020.

s/Pedro A. Delgado-Hernández
PEDRO A. DELGADO-HERNÁNDEZ
United States District Judge