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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

ROBERT SEIBERT, a.k.a.  
JOHN GREY,

Defendant.

Case No. 2:15-cv-09331 R(DTBx)

**PROPOSED FINAL JUDGMENT  
AS TO DEFENDANT ROBERT  
SEIBERT, a.k.a. JOHN GREY**

1 This matter came before the Court on the Securities and Exchange  
2 Commission's ("SEC") Motion for Entry of Final Judgment Against Defendant  
3 Robert Seibert, a.k.a John Grey. The Court, having considered the SEC's Complaint,  
4 the Motion, the supporting Memorandum of Points and Authorities, the supporting  
5 declarations and exhibits, and the other evidence and argument presented to the  
6 Court, finds that:

7 I.

8 IT IS HEREBY ORDERED that the SEC's Motion for Entry of Final  
9 Judgment Against Defendant Robert Seibert, a.k.a John Grey is GRANTED.

10 II.

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

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

19 (b) to make any untrue statement of a material fact or to omit to state  
20 a material fact necessary in order to make the statements made, in the light of  
21 the circumstances under which they were made, not misleading; or

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

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as  
25 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also  
26 binds the following who receive actual notice of this Judgment by personal service or  
27 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and  
28

1 (b) other persons in active concert or participation with Defendant or with anyone  
2 described in (a).

3 III.

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

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

10 (b) to obtain money or property by means of any untrue statement of a  
11 material fact or any omission of a material fact necessary in order to make the  
12 statements made, in light of the circumstances under which they were made,  
13 not misleading; or

14 (c) to engage in any transaction, practice, or course of business which  
15 operates or would operate as a fraud or deceit upon the purchaser.

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

22 IV.

23 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
24 Defendant is permanently restrained and enjoined from violating Section 15(a) of the  
25 Exchange Act [15 U.S.C. § 78o(a)], in connection with the purchase or sale of a  
26 security, by the use of means or instrumentalities or interstate commerce, of the  
27 mails, or of the facilities of a national securities exchange, directly or indirectly  
28 effecting transactions in, or inducing or attempting to induce the purchase or sale of,

1 securities without being registered with the SEC, or affiliated with a broker-dealer  
2 registered with the SEC.

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 V.

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
11 Defendant is permanently restrained and enjoined from directly or indirectly,  
12 including, but not limited to, through any entity owned or controlled by Defendant,  
13 participating in the issuance, purchase, offer, or sale of any security, provided,  
14 however, that such injunction shall not prevent Defendant from purchasing or selling  
15 securities for his/her own personal account.

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

22 VI.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant  
24 is liable for disgorgement plus prejudgment interest of \$559,169.82, representing  
25 profits gained as a result of the conduct alleged in the Complaint, and a civil penalty  
26 in the amount of \$513,810.00 pursuant to Section 20(d) of the Securities Act [15  
27 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)].

28 Defendant shall satisfy this obligation by paying \$1,072,979.82 to the

1 Securities and Exchange Commission within 14 days after entry of this Judgment.  
2 Defendant may transmit payment electronically to the SEC, which will provide  
3 detailed ACH transfer/Fedwire instructions upon request. Payment may also be  
4 made directly from a bank account via Pay.gov through the SEC website at  
5 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified  
6 check, bank cashier's check, or United States postal money order payable to the  
7 Securities and Exchange Commission, which shall be delivered or mailed to

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

10 and shall be accompanied by a letter identifying the case title, civil action number,  
11 and name of this Court; Robert Seibert as a defendant in this action; and specifying  
12 that payment is made pursuant to this Judgment.

13 Defendant shall simultaneously transmit photocopies of evidence of payment  
14 and case identifying information to the SEC's counsel in this action. By making this  
15 payment, Defendant relinquishes all legal and equitable right, title, and interest in  
16 such funds and no part of the funds shall be returned to Defendant. The SEC shall  
17 send the funds paid pursuant to this Judgment to the United States Treasury.

18 The SEC may enforce the Court's judgment for disgorgement and prejudgment  
19 interest by moving for civil contempt (and/or through other collection procedures  
20 authorized by law) at any time after 14 days following entry of this Judgment.

21 Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28  
22 U.S.C. § 1961.

23  
24 VII.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for  
26 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,  
27 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,  
28 and further, any debt for disgorgement, prejudgment interest, civil penalty or other

1 amounts due by Defendant under this Judgment or any other judgment, order, consent  
2 order, decree or settlement agreement entered in connection with this proceeding, is a  
3 debt for the violation by Defendant of the federal securities laws or any regulation or  
4 order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy  
5 Code, 11 U.S.C. §523(a)(19).

6 VIII.

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

10 IX.

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

14  
15 Dated: February 6, 2017



16  
17 UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,  
5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036-3648  
Telephone No. (323) 965-3213; Facsimile No. (323) 965-3908.

On December 16, 2016, I caused to be served the document entitled **FINAL JUDGMENT AS TO DEFENDANT ROBERT SEIBERT, a.k.a JOHN GREY** on all the parties to this action addressed as stated on the attached service list:

**OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency’s practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

**PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

**EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

**HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

**UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service (“UPS”) with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

**ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

**E-FILING:** By causing the document to be electronically filed via the Court’s CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

**FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: December 16, 2016

/s/ Lynn M. Dean  
Lynn M. Dean

**SERVICE LIST**

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Robert Seibert, a.k.a John Grey  
Email: [univstktrans@icloud.com](mailto:univstktrans@icloud.com)

Robert Seibert, a.k.a John Grey  
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Las Vegas, NV 89104

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Palm Desert, California 92260

Robert Seibert, a.k.a. John Grey  
74923 Highway 111, Suite 402  
Indian Wells, California 92210