

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-cv-80496-MARRA/MATTHEWMAN

SECURITIES AND EXCHANGE)
COMMISSION,)
 Plaintiff,)
v.)
))
DANIEL P. McKELVEY *et al.*,)
))
 Defendants,)
and)
))
AU CONSULTING LLC *et al.*,)
))
 Relief Defendants.)
_____)

**FINAL JUDGMENT AS TO DEFENDANT JEFFREY L. LAMSON
SETTING DISGORGEMENT AND PREJUDGMENT INTEREST AMOUNTS**

THIS MATTER is before the Court upon the Commission’s Motion for Final Judgments and to Set Various Disgorgement, Prejudgment Interest, and Civil Penalty Amounts (the “Motion”). [D.E. # 101].

On June 22, 2015, this Court previously entered a Judgment of Permanent Injunction and Other Relief against Defendant Jeffrey L. Lamson (the “Judgment”). [D.E. # 36.] The Judgment provides that the Court shall determine the amounts of the disgorgement and prejudgment interest to be paid by Lamson upon the Commission’s motion, with prejudgment interest to be calculated from September 30, 2013 based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). [*Id.* at § XI.] The Commission previously dismissed its claim for a civil penalty against Lamson. The other relief imposed by the June 22, 2015 Judgment, however, remains in full effect.

UPON CONSIDERATION of the Motion and being otherwise fully advised in the premises, it is **ORDERED AND ADJUGED** that the Plaintiff's Motion is **GRANTED** as to Lamson.

IT IS FURTHER ORDERED AND ADJUGED that Lamson is liable for disgorgement of \$74,104, representing profits gained as a result of the conduct alleged in the Second Amended Complaint, together with prejudgment interest thereon in the amount of \$3,783.24. The total amount payment of \$77,877.24, shall be due and payable within fourteen (14) days from the date of this Final Judgment.

Lamson 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>. Lamson 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; Lamson as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment. Lamson shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Lamson relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Lamson.

The Commission 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 Commission staff determines that the Fund will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

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

IT IS FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction over this matter and Lamson in order to implement and carry out the terms of this 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 West Palm Beach, Florida, this 23rd day of February, 201~~7~~⁸.



KENNETH A. MARRA
UNITED STATES DISTRICT JUDGE