

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED
SEP 06 2018
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SECURITIES AND EXCHANGE COMMISSION,
Plaintiff,
v.
ERIK K. BARDMAN
and
JENNIFER F. WOLF,
Defendants.

Case No. 3:16-cv-02023-JST

[PROPOSED] FINAL JUDGMENT AS TO JENNIFER F. WOLF

The Securities and Exchange Commission having filed an Amended Complaint (“Complaint”) and Defendant Jennifer F. Wolf (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

1
2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
3 permanently restrained and enjoined from violating Section 17(a)(3) of the Securities Act of
4 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)(3)] in the offer or sale of any security by the use
5 of any means or instruments of transportation or communication in interstate commerce or by
6 use of the mails, directly or indirectly, to engage in any transaction, practice, or course of
7 business which operates or would operate as a fraud or deceit upon the purchaser.

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

13 II.

14 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
15 permanently restrained and enjoined from violating Rule 13b2-1 under the Securities Exchange
16 Act of 1934 (the “Exchange Act”) [17 C.F.R. § 240.13b2-1] promulgated pursuant to Section
17 13(b) of the Exchange Act [15 U.S.C. § 78m(b)] by directly or indirectly, falsifying or causing to
18 be falsified, any book, record or account subject to Section 13(b)(2)(A) of the Exchange Act [15
19 U.S.C. § 78m(b)(2)(A)].

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

25 III.

26 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
27 is liable to pay a civil penalty in the amount of \$50,000.00 pursuant to Section 20(d) of the

1 Securities Act [15 U.S.C. § 77t(d)] and Section 21(d) of the Exchange Act [15 U.S.C. § 78u(d)].
2 Defendant shall satisfy this obligation by paying \$50,000.00 to the Securities and Exchange
3 Commission within 14 days after entry of this Final Judgment.

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

10 Enterprise Services Center
11 Accounts Receivable Branch
12 6500 South MacArthur Boulevard
13 Oklahoma City, OK 73169

14 and shall be accompanied by a letter identifying the case title, civil action number, and name of
15 this Court; Jennifer F. Wolf as a defendant in this action; and specifying that payment is made
16 pursuant to this Final Judgment.

17 Defendant shall simultaneously transmit photocopies of evidence of payment and case
18 identifying information to the Commission's counsel in this action. By making this payment,
19 Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part
20 of the funds shall be returned to Defendant.

21 Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28
22 U.S.C. § 1961. The Commission shall hold the funds, together with any interest and income
23 earned thereon (collectively, the "Fund"), pending further order of the Court.

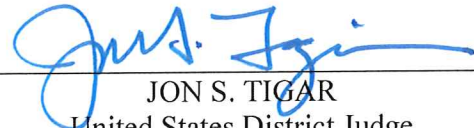
24 The Commission may propose a plan to distribute the Fund subject to the Court's
25 approval. Such a plan may provide that the Fund shall be distributed pursuant to the Fair Fund
26 provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. The Court shall retain
27 jurisdiction over the administration of any distribution of the Fund. If the Commission staff

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

VII.

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

Dated: 9/6/18, 2018



JON S. TIGAR
United States District Judge