

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
(ATLANTA DIVISION)**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

CHARLES A. BANKS, IV,

Defendant.

**Civil Action Number
1:16-cv-03399 (TWT)**

FINAL JUDGMENT AS TO DEFENDANT CHARLES A. BANKS, IV

The Securities and Exchange Commission having filed a Complaint and Defendant Charles A. Banks, IV (“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; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement and prejudgment interest thereon of \$6,328,155.45. This amount shall be deemed satisfied by the deposit of monies into the restitution account referenced in Paragraph 2 of Defendant’s Consent, and civil settlement

with and restitution payment to Mr. Tim Duncan pursuant to the January 3, 2018 order entered in *United States v. Charles Augustus Banks, IV*, Criminal A.No. 2016-cr-618-FB (W.D. Tx.), which directed an irrevocable payment from that Court's Registry of \$7,512,736.00 plus interest to the victim of the fraud in this case, Tim Duncan.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that no civil penalties shall be imposed against Defendant in light of his sentence in the above-captioned criminal case.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendant is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the agreements set forth therein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Final Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the

federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

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 Final Judgment.

Dated: November 1, 2018

/s/Thomas W. Thrash
Thomas W. Thrash, Jr.
UNITED STATES DISTRICT JUDGE