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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

PAUL A. GARCIA, CALIBER
CAPITAL MANAGEMENT, LLC,
PARTNER MEDICAL SOLUTIONS,
LLC, RICHARD T. WOODS, and
CALIBER PARTNERSHIP I, LLC,

Defendants, and

ACER CAPITAL GROUP, INC. and
GREENEONE.COM, INC.,

Relief Defendants.

Case No. 8:17-cv-00174

**FINAL JUDGMENT AS TO
DEFENDANT RICHARD T. WOODS**

1
2 **FINAL JUDGMENT**

3 The Securities and Exchange Commission having filed a Complaint and
4 Defendant Richard T. Woods (“Woods” or “Defendant”) having entered a general
5 appearance; consented to the Court’s jurisdiction over Defendant and the subject
6 matter of this action; consented to entry of this Final Judgment without admitting or
7 denying the allegations of the Complaint (except as to jurisdiction and except as
8 otherwise provided herein in paragraph V); waived findings of fact and conclusions
9 of law; and waived any right to appeal from this Final Judgment:

10 I.

11 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Woods is
12 permanently restrained and enjoined from violating Section 17(a) of the Securities
13 Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any
14 security by the use of any means or instruments of transportation or communication
15 in interstate commerce or by use of the mails, directly or indirectly:

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

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

1
2 II.

3 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
4 Defendant is liable for disgorgement of \$5,000, representing ill-gotten gains from the
5 conduct alleged in the Complaint, together with prejudgment interest thereon in the
6 amount of \$143, and a civil penalty in the amount of \$25,000 pursuant to Section
7 20(d) of the Securities Act. Defendant shall satisfy this obligation by paying \$30,143
8 to the Securities and Exchange Commission pursuant to the terms of the payment
9 schedule set forth in paragraph III below.

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

16 Enterprise Services Center
17 Accounts Receivable Branch
18 6500 South MacArthur Boulevard
19 Oklahoma City, OK 73169

20 and shall be accompanied by a letter identifying the case title, civil action number,
21 and name of this Court; Woods as a defendant in this action; and specifying that
22 payment is made pursuant to this Final Judgment.

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

27 The Commission may enforce the Court's judgment for disgorgement and
28 prejudgment interest by moving for civil contempt (and/or through other collection

1 procedures authorized by law) at any time after 14 days following entry of this Final
2 Judgment. Defendant shall pay post judgment interest on any delinquent amounts
3 pursuant to 28 U.S.C. § 1961.

4 The Commission may propose a plan to distribute the funds paid pursuant to
5 this Final Judgment, together with any interest and income earned thereon
6 (collectively, the “Fund”) subject to the Court’s approval. Such a plan may provide
7 that the Fund shall be distributed pursuant to the Fair Fund provisions of Section
8 308(a) of the Sarbanes-Oxley Act of 2002. The Court shall retain jurisdiction over
9 the administration of any distribution of the Fund. If the Commission staff
10 determines that the Fund will not be distributed, the Commission shall send the funds
11 paid pursuant to this Final Judgment to the United States Treasury.

12 Regardless of whether any such Fair Fund distribution is made, amounts
13 ordered to be paid as civil penalties pursuant to this Judgment shall be treated as
14 penalties paid to the government for all purposes, including all tax purposes. To
15 preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or
16 reduction of any award of compensatory damages in any Related Investor Action
17 based on Defendant’s payment of disgorgement in this action, argue that he is entitled
18 to, nor shall he further benefit by, offset or reduction of such compensatory damages
19 award by the amount of any part of Defendant’s payment of a civil penalty in this
20 action (“Penalty Offset”). If the court in any Related Investor Action grants such a
21 Penalty Offset, Defendant shall, within 30 days after entry of a final order granting
22 the Penalty Offset, notify the Commission’s counsel in this action and pay the amount
23 of the Penalty Offset to the United States Treasury or to a Fair Fund, as the
24 Commission directs. Such a payment shall not be deemed an additional civil penalty
25 and shall not be deemed to change the amount of the civil penalty imposed in this
26 Judgment. For purposes of this paragraph, a “Related Investor Action” means a
27 private damages action brought against Defendant by or on behalf of one or more
28 investors based on substantially the same facts as alleged in the Complaint in this

1 action.

2 III.

3 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
4 Woods shall pay the total of disgorgement, prejudgment interest, and penalty due of
5 \$30,143 in three installments to the Commission according to the following
6 schedule: (1) \$10,143 within 14 days of entry of this Final Judgment; (2) \$10,000
7 within 180 days of entry of this Final Judgment; and (3) \$10,000 within 365 days of
8 entry of this Final Judgment. Payments shall be deemed made on the date they are
9 received by the Commission and shall be applied first to post judgment interest,
10 which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after 14 days
11 of the entry of Final Judgment. Prior to making the final payment set forth herein,
12 Woods shall contact the staff of the Commission for the amount due for the final
13 payment.

14 If Woods fails to make any payment by the date agreed and/or in the
15 amount agreed according to the schedule set forth above, all outstanding payments
16 under this Final Judgment, including post-judgment interest, minus any payments
17 made, shall become due and payable immediately at the discretion of the staff of the
18 Commission without further application to the Court.

19 IV.

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

24 V.

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

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

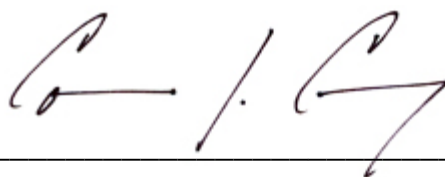
6 VI.

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

10 VII.

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 Final Judgment forthwith
13 and without further notice.

14
15 Dated: February 7, 2017



16
17 UNITED STATES DISTRICT JUDGE