

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	Civil Action No. 4:17-CV-321-Y
4D CIRCLE LLC a/k/a ENOETICS, MANTFORD C. HAWKINS, and DAVID E. BELL	§	
	§	
	§	
Defendants.	§	
	§	

**ORDER GRANTING MOTION FOR REMEDIES AS TO
DEFENDANTS MANTFORD C. HAWKINS AND DAVID E. BELL**

Pending before the Court is the Motion for Remedies Against Defendants Mantford C. Hawkins and David E. Bell (doc. 35) filed by the Securities and Exchange Commission (“SEC”). After review of the motion, the Court concludes that it should be and hereby is GRANTED.

I.

Defendants Hawkins and Bell entered into settlements with the SEC consenting to the entry of judgments of permanent injunctions against them, which the Court already entered under the authority of Federal Rule of Civil Procedure 54(b). (Docs. 26-29.) Among other things, these judgments permanently enjoin Defendants from violating certain provisions of the federal securities laws. These judgments remain in effect.

II.

The judgments left for later determination by the Court the issue of what civil penalties should be required from Defendants. This issue was to be determined on motion of the SEC and is the basis of the pending motion. Having considered the SEC’s complaint, the motion, the

related briefs, and the applicable law, the Court concludes that a civil penalty should be ordered against Defendants.

It is, therefore, ORDERED that defendant Hawkins is assessed a civil penalty in the amount of \$10,000 pursuant to Section 20(d) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78u(d)(3).

It is further ORDERED that defendant Bell is assessed a civil penalty in the amount of \$10,000 pursuant to Section 20(d) of the Securities Act and Section 21(d)(3) of the Exchange Act.

As long as the Receivership in this case remains active, payments in satisfaction of these penalties must be made to the Receiver pursuant to his instructions. In the event that the Receivership is terminated or closed, Defendants must transmit payment electronically to the SEC, which will provide detailed ACH transfer/Fedwire instructions upon request. Alternatively, payment to the SEC 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>, or Defendants may pay the SEC by certified check, bank cashier’s check, or United States postal money order payable to the SEC and delivered or mailed to:

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

and accompanied by a letter identifying the case title, civil-action number, and name of this Court; Defendant’s name as reflected in this order; and that payment is made pursuant to this order.

Defendants shall simultaneously transmit photocopies of evidence of payment and case identifying information to the SEC's counsel in this action. By making this payment, Defendants relinquish all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendants.

If funds are paid to the SEC, the SEC shall hold the funds (collectively, the "Fund") and may propose a plan to distribute the Fund subject to the Court's approval. The Court retains jurisdiction over the administration of any distribution of the Fund. If the SEC staff determines that the Fund will not be distributed, the SEC shall send the funds paid pursuant to this order to the United States Treasury.

The SEC may enforce the Court's judgment by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after thirty days following entry of this Final Judgment. Defendants shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

III.

This Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this order and the previously entered Rule 54(b) judgments.

SIGNED April 30, 2019.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE