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10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**  
12 **Western Division**

13 **SECURITIES AND EXCHANGE**  
14 **COMMISSION,**

15 **Plaintiff,**

16 **vs.**

17 **DAVID SIMS, MARIO PROCOPIO,**  
18 **RALPH C. GREAVES, ALC**  
19 **HOLDINGS, LLC, EL CETHER-**  
**ELYOWN, and SIMS EQUITIES,**  
20 **INC.,**

21 **Defendants.**

**Case No. 8:19-cv-00995-RGK-SS**

**[PROPOSED] FINAL JUDGMENT AS  
TO RALPH C. GREAVES**

1 The Securities and Exchange Commission having filed a Complaint and  
2 Defendant Ralph C. Greaves (“Defendant”) having entered a general appearance;  
3 consented to the Court’s jurisdiction over him and the subject matter of this action;  
4 consented to entry of this Final Judgment, without admitting or denying the  
5 allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
6 conclusions of law; and waived any right to appeal from this Final Judgment.

7 **I.**

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that Defendant  
9 is permanently restrained and enjoined from, directly or indirectly, in the offer or sale  
10 of any securities, by the use of any means or instruments of transportation or  
11 communication in interstate commerce or by the use of the mails:

12 A. employing any device, scheme or artifice to defraud;

13 B. obtaining money or property by means of any untrue statement of a  
14 material fact or any omission to state a material fact necessary in order to  
15 make the statements made, in light of the circumstances under which  
16 they were made, not misleading; and

17 C. engaging in any transaction, practice, or course of business which  
18 operates or would operate as a fraud or deceit upon the purchaser;  
19 in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

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

26 **II.**

27 IT IS FURTHER ORDERED that Defendant is permanently restrained and  
28 enjoined from, directly or indirectly, in connection with the purchase or sale of any

1 security, by the use of any means or instrumentality of interstate commerce, or of the  
2 mails, or of any facility of any national securities exchange:

3 A. employing any device, scheme or artifice to defraud;

4 B. making any untrue statement of a material fact or to omit to state a  
5 material fact necessary in order to make the statements made, in the  
6 light of the circumstances under which they were made; and

7 B. engaging in any act, practice, or course of business which operates or  
8 would operate as a fraud or deceit upon any person;

9 in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5  
10 thereunder, 17 C.F.R. §§ 240.10b-5.

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

17 **III.**

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant  
19 shall pay a civil penalty in the amount of \$100,000.00 to the Securities and Exchange  
20 Commission pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and  
21 Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant shall make  
22 this payment with thirty (30) calendar days after entry of this Final Judgment.

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

1 Enterprise Services Center  
2 Accounts Receivable Branch  
3 6500 South MacArthur Boulevard  
4 Oklahoma City, OK 73169

5 and shall be accompanied by a letter identifying the case title, civil action number,  
6 and name of this Court; Defendant's name as a defendant in this action; and  
7 specifying that payment is made pursuant to this Final Judgment.

8 Defendant shall simultaneously transmit photocopies of evidence of payment  
9 and case identifying information to the Commission's counsel in this action. By  
10 making this payment, Defendant relinquishes all legal and equitable right, title, and  
11 interest in such funds and no part of the funds shall be returned to Defendant. The  
12 Commission shall send the funds paid pursuant to this Final Judgment to the United  
13 States Treasury. Defendant shall pay post-judgment interest on any delinquent  
14 amounts pursuant to 28 USC § 1961.

15 **IV.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for  
17 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,  
18 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,  
19 and further, any debt for disgorgement, prejudgment interest, civil penalty or other  
20 amounts due by Defendant under this Final Judgment or any other judgment, order,  
21 consent order, decree or settlement agreement entered in connection with this  
22 proceeding, is a debt for the violation by Defendant of the federal securities laws or  
23 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of  
24 the Bankruptcy Code, 11 U.S.C. §523(a)(19).

25 **V.**

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

1 **VI.**

2 IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this  
3 action for the purpose of enforcing the terms of this Judgment and implementing and  
4 carrying out the terms of all orders and decrees which may be entered herein and to  
5 entertain any suitable application or motion for additional relief within the  
6 jurisdiction of this Court.

7 **VII.**

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

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12 IT IS SO ORDERED.

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14 Dated: July 2, 2020



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15 UNITED STATES DISTRICT JUDGE  
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