

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SECURITIES AND EXCHANGE COMMISSION	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
NICHOLAS TORNELLO	:	NO. 20-2143

FINAL JUDGMENT

NOW, this 1st day of October, 2020, upon consideration of the parties' report that The Securities and Exchange Commission and Nicholas Tornello 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 in paragraph VII, waived findings of fact and conclusions of law, and waived any right to appeal from this Final Judgment:

I.

IT IS ORDERED that Nicholas Tornello is **PERMANENTLY RESTRAINED** and **ENJOINED** from violating Section 13(b)(5) of the Securities Exchange Act of 1934, 15 U.S.C. § 78m(b)(5) ("Exchange Act") by knowingly circumventing or knowingly failing to implement an effective system of internal accounting controls or knowingly falsifying any book, record or account as described in Section 13(b)(2) of the Exchange Act, 15 U.S.C. § 78m(b)(2).

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

II.

IT IS FURTHER ORDERED that Defendant is **PERMANENTLY RESTRAINED** and **ENJOINED** from violating Rule 13b2-1 promulgated under the Exchange Act, 17 C.F.R. § 240.13b2-1, by, directly or indirectly, falsifying or causing to be falsified any book, record, or account subject to Section 13(b)(2)(A) of the Exchange Act, 15 U.S.C. § 78m(b)(2)(A).

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

III.

IT IS FURTHER ORDERED that Nicholas Tornello is **PERMANENTLY RESTRAINED** and **ENJOINED** from aiding and abetting any violation of Section 13(a) of the Exchange Act, 15 U.S.C. § 78m(a), and Rules 12b-20, 13a-1, 13a-11, and 13a-13 thereunder, 17 C.F.R. §§ 240.12b-20, 240.13a-1, 240.13a-11, 240.13a-13, by knowingly or recklessly providing substantial assistance to an issuer that files with the Commission any information, document, or report required to be filed with the Commission pursuant to Exchange Act Section 13(a) and the rules and regulations promulgated thereunder, which contains any untrue statement of a material fact, which omits to state any material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, or which omits to disclose any information required to be disclosed.

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

IV.

IT IS FURTHER ORDERED that Nicholas Tornello is **PERMANENTLY RESTRAINED** and **ENJOINED** from aiding and abetting any violation of Section 13(b)(2)(A) of the Exchange Act, 15 U.S.C. § 78m(b)(2)(A), by knowingly or recklessly providing substantial assistance to an issuer that fails to make or keep books, records, or accounts which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the issuer.

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

V.

IT IS FURTHER ORDERED that Nicholas Tornello shall pay a civil penalty in the amount of \$25,000 to the Securities and Exchange Commission pursuant to Section 21(d)(3) of the Exchange Act, 15 U.S.C. §78u(d)(3). Nicholas Tornello shall make this payment within 30 days after entry of this Final Judgment.

Nicholas Tornello may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment 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>. Nicholas Tornello may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

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

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

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

VI.

IT IS FURTHER ORDERED that, solely 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 Nicholas Tornello, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Nicholas

Tornello 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 Nicholas Tornello 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).

VII.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

/s/ TIMOTHY J. SAVAGE J.