

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 17-cv-62345-KMM**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**JOSEPH A. RUBBO, ANGELA RUBBO MONACO  
BECKCOM, and STEVEN J. DYKES,**

**Defendants.**

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**ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT  
AGAINST ANGELA RUBBO MONACO BECKCOM AND ENTERING  
JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF**

THIS CAUSE is before the Court on Plaintiff Securities and Exchange Commission's (the "Commissio") Motion for Entry of a Default Judgment against Defendant Angela Rubbo Monaco Beckcom, ("Monaco" or "Defendant") (ECF No. 20). UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, the Court enters the following order granting the Plaintiff's motion, and imposing a Default Judgment of Permanent Injunction against Monaco.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. This Court has personal jurisdiction over Monaco and the subject matter of this action. Venue is proper in the Southern District of Florida.
2. Monaco was properly served with a summons and a copy of the Complaint pursuant to Rule 4 of the Federal Rules of Civil Procedure, and thus, she has proper notice of this action.

3. As of the date of this Order, Monaco has failed to answer or otherwise file a responsive pleading to the Complaint as required by the Federal Rules of Civil Procedure.

4. The Clerk of the Court entered a default against Monaco on January 17, 2018. (ECF No. 15). By virtue of the default and the failure to respond to the Complaint, Monaco is deemed to have admitted the allegations of the Complaint, and the Commission has established liability against her. *Buchanan v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987). Thus, the Court finds Monaco committed the violations alleged in the Complaint. Accordingly, it is:

**ORDERED AND ADJUDGED** that Plaintiff's Motion for Entry of a Default Judgment against Defendant Angela Rubbo Monaco Beckcom is **GRANTED**. Default Judgment is entered against Monaco as follows.

**I.**

**SECTION 10(b) OF THE SECURITIES EXCHANGE ACT OF 1934 AND RULE 10b-5**

**IT IS HEREBY ORDERED AND ADJUDGED** that Monaco is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or

(c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person;

by, directly or indirectly (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information, or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor; about: (A) any investment in or offering of securities, (B) the prospects for success of any product or company, (C) the use of investor funds, or (D) the misappropriation of investor funds or investment proceeds.

**IT IS FURTHER ORDERED AND ADJUDGED** 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 Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

## II.

### **SECTION 17(a) OF THE SECURITIES ACT OF 1933**

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

(a) to employ any device, scheme, or artifice to defraud;

- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary to make the statements made, in light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser;

by, directly or indirectly (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor; about: (A) any investment in or offering of securities, (B) the prospects for success of any product or company, (C) the use of investor funds, or (D) the misappropriation of investor funds or investment proceeds.

**IT IS FURTHER ORDERED AND ADJUDGED** 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 Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

### **III.**

#### **SECTION 15(a) OF THE EXCHANGE ACT**

**IT IS HEREBY FURTHER ORDERED AND ADJUDGED** that Monaco is permanently restrained and enjoined from, directly or indirectly, aiding and abetting any violation of Section 15(a)(1) of the Exchange Act, 15 U.S.C. § 78o, by acting as a broker or dealer to effect any transactions in, or to induce or attempt to induce the purchase or sale of any

security, unless she first registers with the Securities and Exchange Commission as a broker or dealer.

**IT IS FURTHER ORDERED AND ADJUDGED** 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) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

**IV.**

**PENNY STOCK BAR**

**IT IS FURTHER ORDERED AND ADJUDGED** that, pursuant to Section 20(g) of the Securities Act, 15 U.S.C. § 77t(g), and Section 21(d)(6) of the Exchange Act, 15 U.S.C. § 78u(d)(6), Monaco is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].

**V.**

**DISGORGEMENT AND CIVIL PENALTY**

**IT IS FURTHER ORDERED AND ADJUDGED** that Monaco shall pay disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3). The Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission. The Commission shall file a motion seeking specific disgorgement,

prejudgment interest, and civil penalty amounts within 30 days of the termination of prosecution by acquittal or otherwise or the entry of a final judgment of conviction against Monaco.

**VI.**

**RETENTION OF JURISDICTION**

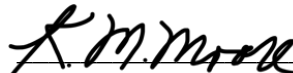
**IT IS FURTHER ORDERED AND ADJUDGED** that this Court shall retain jurisdiction over this matter and Monaco in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstances.

**VII.**

**RULE 54(b) CERTIFICATION**

**IT IS FURTHER ORDERED AND ADJUDGED** that there being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 29th day of May, 2018.

  
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**K. MICHAEL MOORE**  
**UNITED STATES DISTRICT JUDGE**

C: Counsel and parties of record