

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

08-CV-03324 (RWS)

Plaintiff,

- against -

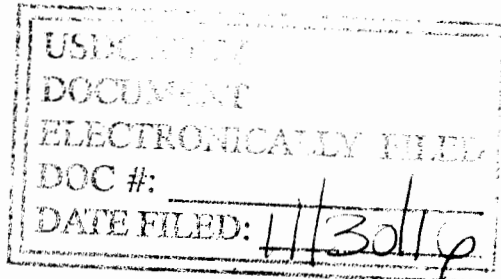
PENTAGON CAPITAL MANAGEMENT PLC and
LEWIS CHESTER,

Defendants,

- and -

PENTAGON SPECIAL PURPOSE FUND, LTD.,

Relief Defendant.
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SUPPLEMENTAL JUDGMENT AS TO LEWIS CHESTER

WHEREAS the Court entered a Final Judgment on March 28, 2012 (“Final Judgment”) ordering, among other things, that Defendant Lewis Chester (“Chester”) pay a civil monetary penalty in the amount of \$38,416,500 pursuant to Section 20(d) of the Securities Act of 1933, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u(d)(3);

WHEREAS the United States Court of Appeals for the Second Circuit, in a decision issued on August 8, 2013, *SEC v. Pentagon Capital Management PLC*, 12-1680-cv, vacated the penalty and remanded for reconsideration of the amount of the civil penalty in light of the Supreme Court’s decision in *Gabelli v. SEC*, 133 S. Ct. 1216 (2013);

WHEREAS Plaintiff Securities and Exchange Commission and Chester have entered into a Settlement Deed in the United Kingdom, which remains in force and is applicable to the present matter;

WHEREAS the Plaintiff Securities and Exchange Commission and Chester have entered into a Stipulation agreeing to the amount of the penalty to be imposed;

NOW THEREFORE

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant Chester shall pay a civil penalty in the amount of \$6,000,000 to the Securities and Exchange Commission pursuant to Section 20(d) of the Securities Act of 1933, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u(d)(3). Defendant Chester shall pay \$6,000,000 within 14 days after entry of this Final Judgment.

Defendant 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>. Defendant 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; Chester as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

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

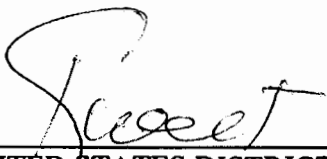
II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that all other relief ordered in the Final Judgment shall remain in full force and effect as to Defendant Chester.

III.

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

SO ORDERED:



UNITED STATES DISTRICT JUDGE

Dated: New York, NY
11/30, 2016