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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JOHN MARK MARINO, JASON
“JAI” JOHNSON, ABRAHAM
BORENSTEIN, AND ANTHONY
BROWN,

Defendants.

Case No. 2:23-cv-00403 CAS(MARx)
**FINAL JUDGMENT AS TO DEFENDANT
ANTHONY BROWN AKA ANTHONY
PETRILLO**

The Securities and Exchange Commission having filed a Complaint and Defendant Anthony Brown, also known as Anthony Petrillo (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; 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 herein in paragraph VI); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant 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.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED 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).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant 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;

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1 (b) to obtain money or property by means of any untrue statement of a
2 material fact or any omission of a material fact necessary in order to make the
3 statements made, in light of the circumstances under which they were made,
4 not misleading; or

5 (c) to engage in any transaction, practice, or course of business which
6 operates or would operate as a fraud or deceit upon the purchaser.

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

13 III.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that pursuant to
15 Sections 21(d)(1) and 21(d)(5) of the Exchange Act [15 U.S.C. § 78u(d)(1) and (5)],
16 and Section 20(b) of the Securities Act [15 U.S.C. § 77t(b)], Defendant is
17 permanently restrained and enjoined from participating, directly or indirectly,
18 including, but not limited to, through any entity owned or controlled by him, in the
19 issuance, purchase, offer, or sale of any security; provided, however, that such
20 injunction shall not prevent Brown from purchasing or selling securities for his own
21 personal account..

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

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$56,430, representing net profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$6,065.64, and a civil penalty in the amount of \$40,000 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)]. Defendant shall satisfy this obligation by paying \$102,495.64 to the Securities and Exchange Commission pursuant to the terms of the payment schedule set forth in paragraph V below 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; "Anthony Brown AKA Anthony Petrillo" 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.

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1 The Commission may enforce the Court’s judgment for disgorgement and
2 prejudgment interest by using all collection procedures authorized by law, including,
3 but not limited to, moving for civil contempt at any time after 30 days following entry
4 of this Final Judgment.

5 The Commission may enforce the Court’s judgment for penalties by the use of
6 all collection procedures authorized by law, including the Federal Debt Collection
7 Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the
8 violation of any Court orders issued in this action. Defendant shall pay post
9 judgment interest on any amounts due after 30 days of the entry of this Final
10 Judgment pursuant to 28 U.S.C. § 1961. The Commission shall hold the funds,
11 together with any interest and income earned thereon (collectively, the “Fund”),
12 pending further order of the Court.

13 The Commission may propose a plan to distribute the Fund subject to the
14 Court’s approval. Such a plan may provide that the Fund shall be distributed
15 pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of
16 2002. The Court shall retain jurisdiction over the administration of any distribution
17 of the Fund and the Fund may only be disbursed pursuant to an Order of the Court.

18 Regardless of whether any such Fair Fund distribution is made, amounts
19 ordered to be paid as civil penalties pursuant to this Final Judgment shall be treated as
20 penalties paid to the government for all purposes, including all tax purposes. To
21 preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or
22 reduction of any award of compensatory damages in any Related Investor Action
23 based on Defendant’s payment of disgorgement in this action, argue that he is entitled
24 to, nor shall he further benefit by, offset or reduction of such compensatory damages
25 award by the amount of any part of Defendant’s payment of a civil penalty in this
26 action (“Penalty Offset”). If the court in any Related Investor Action grants such a
27 Penalty Offset, Defendant shall, within 30 days after entry of a final order granting
28 the Penalty Offset, notify the Commission’s counsel in this action and pay the amount

1 of the Penalty Offset to the United States Treasury or to a Fair Fund, as the
2 Commission directs. Such a payment shall not be deemed an additional civil penalty
3 and shall not be deemed to change the amount of the civil penalty imposed in this
4 Final Judgment. For purposes of this paragraph, a “Related Investor Action” means a
5 private damages action brought against Defendant by or on behalf of one or more
6 investors based on substantially the same facts as alleged in the Complaint in this
7 action.

8 V.

9 Anthony Brown shall pay the total of disgorgement, prejudgment interest, and
10 penalty due of \$102,495.64 in four installments to the Commission according to the
11 following schedule: (1) \$2,495.64, within 30 days of entry of this Final Judgment; (2)
12 \$33,333.33, within 120 days of entry of this Final Judgment; (3) \$33,333.33, within
13 240 days of entry of this Final Judgment; and (4) \$33,333.34, within 360 days of
14 entry of this Final Judgment. Payments shall be deemed made on the date they are
15 received by the Commission and shall be applied first to post judgment interest,
16 which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after 30 days
17 of the entry of Final Judgment. Prior to making the final payment set forth herein,
18 Anthony Brown shall contact the staff of the Commission for the amount due for the
19 final payment.

20 If Anthony Brown fails to make any payment by the date agreed and/or in the
21 amount agreed according to the schedule set forth above, all outstanding payments
22 under this Final Judgment, including post-judgment interest, minus any payments
23 made, shall become due and payable immediately at the discretion of the staff of the
24 Commission without further application to the Court.

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1 VI.

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

6 VII.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, for
8 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
9 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,
10 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
11 amounts due by Defendant under this Final Judgment or any other judgment, order,
12 consent order, decree or settlement agreement entered in connection with this
13 proceeding, is a debt for the violation by Defendant of the federal securities laws or
14 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of
15 the Bankruptcy Code, 11 U.S.C. §523(a)(19).

16 VIII.

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

20 IX.

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

24 Dated: July 22, 2025

Christina A. Snyder

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26 HONORABLE CHRISTINA SNYDER
27 UNITED STATES DISTRICT JUDGE
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