

1 DAVID J. VAN HAVERMAAT, Cal. Bar No. 175761
Email: vanhavermaatd@sec.gov
2 KATHARINE E. ZOLADZ, Cal. Bar No. 254867
Email: zoladzk@sec.gov

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3 Attorneys for Plaintiff
4 Securities and Exchange Commission
Michele Wein Layne, Regional Director
5 Lorraine B. Echavarria, Associate Regional Director
John W. Berry, Regional Trial Counsel
6 5670 Wilshire Boulevard, 11th Floor
Los Angeles, California 90036
7 Telephone: (323) 965-3998
Facsimile: (323) 965-3908

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

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 vs.

15 IMAGING3, INC. and DEAN NORMAN
16 JANES,

Defendants.

Case No. CV13-4616-GAF (AJWx)

JUDGMENT AS TO DEFENDANTS
IMAGING3, INC. AND DEAN
NORMAN JANES

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1 Plaintiff Securities and Exchange Commission (“SEC”) having filed a
2 Complaint and Defendants Imaging3, Inc. (“Imaging3”) and Dean Norman Janes
3 (“Janes”) (together, “Defendants”) having entered general appearances; consented to
4 the Court’s jurisdiction over Defendants and the subject matter of this action;
5 consented to entry of this Judgment without admitting or denying the allegations of
6 the Complaint (except as to jurisdiction and except as otherwise provided herein in
7 paragraph V); waived findings of fact and conclusions of law; and waived any right
8 to appeal from this Judgment:

9 **I.**

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
11 Defendant Janes and Defendant Janes’ agents, servants, employees, attorneys, and all
12 persons in active concert or participation with them who receive actual notice of this
13 Judgment by personal service or otherwise are permanently restrained and enjoined
14 from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
15 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated
16 thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of
17 interstate commerce, or of the mails, or of any facility of any national securities
18 exchange, in connection with the purchase or sale of any security:

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

20 (b) to make any untrue statement of a material fact or to omit to state a
21 material fact necessary in order to make the statements made, in the light of the
22 circumstances under which they were made, not misleading; or

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

25 **II.**

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that,
27 pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant
28 Janes is prohibited, for five years following the date of entry of this Judgment, from

1 acting as an officer or director of any issuer that has a class of securities registered
2 pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to
3 file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

4 **III.**

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
6 Defendant Janes shall pay a civil penalty pursuant to Section 21(d)(3) of the
7 Exchange Act [15 U.S.C. § 78u(d)(3)]. The Court shall determine the amount of the
8 civil penalty upon motion of the SEC. In connection with the SEC's motion for civil
9 penalties, and at any hearing held on such a motion: (a) Defendant Janes will be
10 precluded from arguing that he did not violate the federal securities laws as alleged in
11 the Complaint; (b) Defendant Janes may not challenge the validity of the Consent or
12 this Judgment; (c) solely for the purposes of such motion, the allegations of the
13 Complaint shall be accepted as and deemed true by the Court; and (d) the Court may
14 determine the issues raised in the motion on the basis of affidavits, declarations,
15 excerpts of sworn deposition or investigative testimony, and documentary evidence,
16 without regard to the standards for summary judgment contained in Rule 56(c) of the
17 Federal Rules of Civil Procedure. In connection with the SEC's motion for civil
18 penalties, the parties may take discovery, including discovery from appropriate non-
19 parties.

20 **IV.**

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
22 Consent of Defendants Imaging3, Inc. and Dean Norman Janes is incorporated herein
23 with the same force and effect as if fully set forth herein, and that Defendants shall
24 comply with all of the undertakings and agreements set forth therein, including, but
25 not limited to, Defendant Imaging3's agreement to continue the self-remediation
26 policies identified in paragraph 5 of the Consent for a period of three years from the
27 date of entry of this Judgment, and Defendant Imaging3's undertakings to: (i) provide
28 written notification to the SEC, within five days, if it has been charged or convicted

1 of an offense by any federal, state, or local law enforcement organization or
2 regulatory agency; and (ii) provide written notification to the SEC, within five days,
3 if a formal or informal complaint has been made against it or disciplinary action has
4 been taken against it by any self-regulatory organization.

5 **V.**

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

15 **VI.**

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

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21 Dated: July 25, 2014



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UNITED STATES DISTRICT JUDGE

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