

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MARK J. VARACCHI and SENTINEL
GROWTH FUND MANAGEMENT, LLC,

Defendants,

and

RADAR ALTERNATIVE FUND LP and
RADAR ALTERNATIVE MASTER FUND SPC,

Relief Defendants.

No. 3:17-cv-155 (VAB)

FINAL JUDGMENT AS TO MARK J. VARACCHI

1. The Court on May 1, 2017 having entered a Judgment (the “May 1, 2017 Judgment”) which, among other things, permanently restrained and enjoined Defendant Mark J. Varacchi from violation of Section 10(b) of the Securities Exchange Act of 1934 [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5], Section 17(a) of the Securities Act of 1933 [15 U.S.C. § 77q(a)], and Sections 206(1), 206(2), and 206(4) of the Investment Advisers Act of 1940 [15 U.S.C. §§ 80b-6(1), (2) & (4)] and Rule 206(4)-8 thereunder [15 C.F.R. 275.206(4)-8]; and

2. Defendant Varacchi 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; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement in the amount of \$19,691,467 and prejudgment interest in the amount of \$747,877. Disgorgement and prejudgment interest are deemed satisfied by the order of restitution in the Judgment in a Criminal Case entered against Mr. Varacchi on September 12, 2022 in *United States v. Varacchi*, Crim. No. 1:17-cr-00076-SHS (ECF No. 46).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Mr. Varacchi's Consent to this entry of Final Judgment is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the undertakings and agreements set forth therein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, 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 Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant 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 Defendant 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).

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 at Bridgeport, Connecticut, this 3rd day of February, 2023.

Dinah Milton Kinney, Clerk

By: /s/ Tatihana Murphy

Tatihana Murphy
Courtroom Deputy