

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

**U.S. SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**NANOTECH ENGINEERING, INC.,
et al.,**

Defendants.

Civil Action No. 19-cv-3633 (ABJ)

FINAL JUDGMENT AS TO DAVID SWEANEY

The U.S. Securities and Exchange Commission (“SEC”) having filed an Amended Complaint and Defendant David Sweaney (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; waived findings of fact and conclusions of law; waived any right to appeal from this Judgment; and not opposing the SEC’s Motion to Enter a Final Judgment; and good cause being found that the Proposed Final Judgment is fair, reasonable, adequate, and in the public interest:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this Final Judgment incorporates by reference the terms of the Judgment imposed by this Court on October 6, 2020.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay disgorgement of ill-gotten gains in the amount of \$9,679,495 and prejudgment interest thereon, in the amount of \$878,955.30, and that Defendant is jointly and severally liable for this amount with any other disgorgement and prejudgment interest ordered against any other Defendant or Relief Defendant in this case, up to the amount ordered against those Defendants and Relief Defendants.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant's obligation to make these payments shall be deemed satisfied by the entry of the restitution order in the related criminal case *United States v. David Wayne Sweaney*, 20-CR-00087-JLS (C.D. Cal.).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant's Consent [Dkt. 45-4] 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.

IV.

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 Amended 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 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).

V.

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 Judgment.

VI.

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.

Dated: September 9, 2022

A handwritten signature in cursive script, reading "Amy B. Jack", written over a horizontal line.

UNITED STATES DISTRICT JUDGE