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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**  
14

15 SECURITIES AND EXCHANGE COMMISSION,  
16 Plaintiff,  
17 v.  
18 LEWIS I. WALLACH,  
19 Defendant.

Case No. 3:20-cv-06756-MMC

**~~PROPOSED~~ FINAL JUDGMENT  
AS TO DEFENDANT LEWIS I.  
WALLACH**

20  
21 The Securities and Exchange Commission having filed a Complaint and Defendant Lewis I.  
22 Wallach (“Defendant”) having entered a general appearance; consented to the Court’s  
23 jurisdiction over Defendant and the subject matter of this action; consented to entry of this  
24 Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from  
25 this Judgment:

26 **I.**

27 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently  
28 restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities

1 Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated  
2 thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate  
3 commerce, or of the mails, or of any facility of any national securities exchange, in connection  
4 with the purchase or sale of any security:

- 5 (a). to employ any device, scheme, or artifice to defraud;
- 6 (b) to make any untrue statement of a material fact or to omit to state a material fact  
7 necessary in order to make the statements made, in the light of the circumstances  
8 under which they were made, not misleading; or
- 9 (c) to engage in any act, practice, or course of business which operates or would operate  
as a fraud or deceit upon any person.

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

15 **II.**

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17 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is  
18 permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933  
19 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any  
20 means or instruments of transportation or communication in interstate commerce or by use of the  
21 mails, directly or indirectly:

- 22 (a) to employ any device, scheme, or artifice to defraud;
- 23 (b) to obtain money or property by means of any untrue statement of a material fact or  
24 any omission of a material fact necessary in order to make the statements made, in  
light of the circumstances under which they were made, not misleading; or
- 25 (c) to engage in any transaction, practice, or course of business which operates or would  
26 operate as a fraud or deceit upon the purchaser.

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

6 **III.**

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to Section  
8 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and Section 20(e) of the Securities Act [15  
9 U.S.C. § 77t(e)], Defendant is prohibited from acting as an officer or director of any issuer that  
10 has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l]  
11 or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C.  
12 § 78o(d)].

13 **IV.**

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

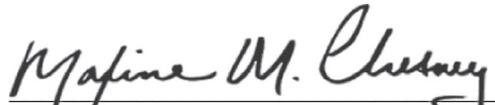
17 **V.**

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

20 **VI.**

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

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25 Dated: February 13, 2023

  
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UNITED STATES DISTRICT JUDGE  
Maxine M. Chesney