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

**SECURITIES AND EXCHANGE
COMMISSION,**
Plaintiff,
vs.
**ALEX DUAIN FORESTER, an
individual; MICHAEL ROBERT
HICKS, an individual; YARDEN
MOSHE MONY KRAMPF, an
individual; CHRISTOPHER
BYUNGIN LEE, an individual;
SEAN ANDREW O’NEAL, an
individual; MICHAEL ROY
RAYNOR, an individual; and, LEE
SOBEL, an individual,**
Defendants.

Case No.: CV 20-9813 DMG (AFMx)
**FINAL JUDGMENT AS TO
DEFENDANTS ALEX DUANE
FORESTER AND MICHAEL
ROBERT HICKS [84]**

1 This matter came before the Court on Plaintiff United States Securities and
2 Exchange Commission’s (“Commission’s”) Renewed Motion for Final Judgment
3 Against Defendants Alex Duain Forester, Michael Robert Hicks, and Yarden Moshe
4 Mony Krampf. [Doc. # 84.] Defendants Forester and Hicks have not filed any
5 opposition or otherwise responded. The Court previously issued an Order on
6 February 23, 2022 granting the Commission’s motion for monetary relief against
7 Defendants Forester and Hicks. [Doc. # 76.] Due to an administrative oversight,
8 the Court failed to enter the Final Judgment as to these defendants as it indicated it
9 would. Therefore, the Court, having considered all the evidence and arguments
10 presented in Plaintiffs’ Memorandum of Points and authorities in support of the
11 Renewed Motion, and the record in this action, finds that:

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14 I.

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
16 Commission’s Renewed Motion for Final Judgment against Defendants Alex Duain
17 Forester and Michael Robert Hicks is GRANTED.

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19 II.

20 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
21 Defendants Forester and Hicks are permanently restrained and enjoined from
22 violating, directly or indirectly, Section 15(a)(1) of the Securities Exchange Act of
23 1934 (“Exchange Act”) [15 U.S.C. § 78o(a)(1)] by using any means or
24 instrumentality of interstate commerce, or of the mails, or of any facility of any
25 national securities exchange, to effect transactions in, or induce or attempt to induce
26 the purchase or sale of, securities while not registered with the Commission as a
27 broker or dealer or while not associated with an entity registered with the
28 Commission as a broker or dealer.

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

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8 III.

9 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
10 Defendants are permanently restrained and enjoined from, directly or indirectly,
11 including, but not limited to, through any entity owned or controlled by Defendant,
12 soliciting any person or entity to purchase or sell any security.

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

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21 IV.

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
23 that Defendant Alex Duain Forester shall pay a civil penalty in the amount of
24 \$349,875.00 and Defendant Michael Robert Hicks shall pay a civil penalty in the
25 amount of \$180,570 to the Securities and Exchange Commission pursuant to
26 Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendants shall
27 make this payment within 30 days after entry of this Final Judgment.

28 Defendants may transmit payment electronically to the Commission, which

1 will provide detailed ACH transfer/Fedwire instructions upon request. Payment
2 may also be made directly from a bank account via Pay.gov through the SEC
3 website at <http://www.sec.gov/about/offices/ofm.htm>. Defendants may also pay by
4 certified check, bank cashier's check, or United States postal money order payable
5 to the Securities and Exchange Commission, which shall be delivered or mailed to

6 Enterprise Services Center
7 Accounts Receivable Branch
8 6500 South MacArthur Boulevard
9 Oklahoma City, OK 73169

10 and shall be and shall be accompanied by a letter identifying the case title, civil
11 action number, and name of this Court; Alex Duain Forester and Michael Robert
12 Hicks as defendants in this action; and specifying that payment is made pursuant to
13 this Final Judgment.

14 Defendants shall simultaneously transmit photocopies of evidence of payment
15 and case identifying information to the Commission's counsel in this action. By
16 making this payment, Defendants relinquish all legal and equitable right, title, and
17 interest in such funds and no part of the funds shall be returned to Defendants. The
18 Commission shall send the funds paid pursuant to this Final Judgment to the United
19 States Treasury.
20

21 The Commission may enforce the Court's judgment for penalties by the use
22 of all collection procedures authorized by law, including the Federal Debt Collection
23 Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the
24 violation of any Court orders issued in this action. Defendants shall pay post-
25 judgment interest on any amounts due after 30 days of the entry of this Final
26 Judgment pursuant to 28 USC § 1961.
27
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V.

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

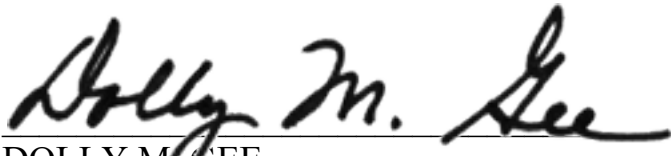
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13 VI.

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

19 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
20 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith
21 and without further notice.
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23 DATED: September 21, 2022


24 DOLLY M. GEE
25 UNITED STATES DISTRICT JUDGE
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