

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22- 60162-CIV-SINGHAL

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

GERMAN NINO,

Defendant.

FINAL JUDGMENT AGAINST DEFENDANT GERMAN NINO

THIS CAUSE comes before the Court upon Plaintiff Securities and Exchange Commission's Unopposed Motion for a Final Judgment Against Defendant German Nino ("Final Judgment") (DE [12]). By the attached Consent of Defendant German Nino to Final Judgment ("Consent"), Nino has waived service of a summons and the Complaint, entered a general appearance, 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. The Court finds good cause exists for entry of the Final Judgment. Accordingly, the Commission's Motion (DE [12]) is **GRANTED**. The Court further orders as follows:

I.

DISGORGEMENT, PREJUDGMENT INTEREST, AND CIVIL PENALTY

IT IS ORDERED AND ADJUDGED that Nino is liable to the Commission for disgorgement of \$5,833,218, representing profits gained as a result of the conduct alleged in the Complaint, and prejudgment interest on disgorgement of \$73,519, for a total of \$5,906,737. This amount shall be deemed satisfied by the forfeiture and restitution orders

entered in the criminal case of *United States v. Nino*, Case No. 1:22-cr-20020 (S.D. Fla.) [ECF Nos. 40 and 42] on June 21, 2022.

IT IS FURTHER ORDERED AND ADJUDGED that the Commission's claim for a civil penalty against Nino is dismissed.

II.

INCORPORATION OF CONSENT

IT IS FURTHER ORDERED AND ADJUDGED that the Consent filed herewith is incorporated herein with the same force and effect as if fully set forth herein, and Nino shall comply with all of the undertakings and agreements set forth therein.

III.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction of this matter and over Nino in order to implement and carry out the terms of this Judgment and all Orders and Decrees that may be entered, to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and to order any other relief that this Court deems appropriate under the circumstances.

IV.

BANKRUPTCY NONDISCHARGEABILITY

IT IS FURTHER ORDERED AND ADJUDGED 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 Nino, and further, any debt for a civil penalty or other amounts due by Nino 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 Nino 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 that the Clerk of Court shall **CLOSE** this case and **DENY AS MOOT** any pending motions.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 1st day of August 2022.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished counsel via CM/ECF