

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-61837-CIV-SINGHAL

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

THE DIAMOND DESK CORPORATION, and
ADAM JONATHAN LOWE,

Defendants.

**FINAL JUDGMENT AGAINST DEFENDANTS
THE DIAMOND DESK CORPORATION AND ADAM JONATHAN LOWE**

THIS CAUSE is before the Court on Plaintiff Securities and Exchange Commission's Unopposed Motion for Entry of Final Judgment Against Defendants The Diamond Desk Corporation and Adam Jonathan Lowe (DE [22]) ("Motion"). For the reasons discussed herein, the Motion (DE [22]) is **GRANTED**.

The Securities and Exchange Commission ("Commission") having filed a Complaint and Defendants The Diamond Desk Corporation ("Diamond Desk") and Adam Jonathan Lowe ("Lowe"; collectively, the "Defendants") having entered general appearances; having consented to the Court's jurisdiction over them and the subject matter of this action; and having waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment, it is hereby

ORDERED and **ADJUDGED** as follows:¹

I. PERMANENT INJUNCTIVE RELIEF

¹ The unopposed consent judgment will be entered in substantially the form submitted by Plaintiff (DE [22-1]), with minor changes.

A. Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5

Defendants are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person, by, directly or indirectly, (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor about: (A) any investment strategy or investment in securities; (B) the prospects for success of any product or company; (C) the use of investor funds; (D) compensation to any person; (E) Defendants’ qualifications to advise investors; or (F) the misappropriation of investor funds or investment proceeds.

As provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal

service or otherwise: (a) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

B. Section 17(a) of the Securities Act of 1933

Defendants are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or 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
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser by, directly or indirectly,
 - (i) creating a false appearance or otherwise deceiving any person, or (ii) disseminating false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor about: (A) any investment strategy or investment in securities; (B) the prospects for success of any product or company; (C) the use of investor funds; (D) compensation to any person; (E) Defendants' qualifications to advise investors; or (F) the misappropriation of investor funds or investment proceeds.

As provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

II. CONDUCT-BASED INJUNCTION

Pursuant to Sections 21(d)(1) and (5) of the Exchange Act [15 U.S.C. § 78u(d)(1) and (5)] and Section 20(b) of the Securities Act [15 U.S.C. § 77t(b)], Lowe is permanently restrained and enjoined from, directly or indirectly, including through any entity he owns or controls: (a) participating in the issuance, offer, purchase, or sale of any securities except for transactions involving Lowe's own personal brokerage account; and (b) exercising any control over, any commercial enterprise or project that issues, purchases, or sells securities to any person other than Lowe.

As provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Lowe's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Lowe or anyone described in (a).

III. OFFICER AND DIRECTOR BAR

Pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)], Lowe is permanently prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

IV. DISGORGEMENT AND PREJUDGMENT INTEREST

Defendants shall be jointly and severally liable to the Commission for disgorgement of \$2,121,581, representing profits gained by Defendants as a result of the conduct alleged in the Complaint, and prejudgment interest thereon of \$715,456.73, for a total of \$2,837,037.73. The amount shall be deemed satisfied by the preliminary order of forfeiture entered in the criminal case against Lowe in the amount of \$12,926,550.54, *United States v. Adam Jonathan Lowe*, S.D. Fla. Case No. 23-CR-60225-Leibowitz, (DE [93]).

V. BANKRUPTCY NONDISCHARGEABILITY

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 Lowe, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Lowe 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 Lowe 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).

VI. INCORPORATION OF CONSENT


The Consent of Defendants The Diamond Desk Corporation and Adam Jonathan Lowe to Final Judgment of Permanent Injunction and Other Relief is incorporated herein with the same force and effect as if fully set forth herein, and that Defendants shall comply with all of the undertakings and agreements set forth therein

VII. RETENTION OF JURISDICTION

This Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

DONE AND ORDERED in Chambers in Fort Lauderdale, Florida, this 1st day of May, 2025.

Copies furnished to counsel via CM/ECF



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE