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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MOHAMMED PITHAPURWALA,
AMMAR KUTIYANAWALLA, and
ALIFIYA KUTIYANAWALLA,

Defendants.

Case No. 2:21-cv-09384 PA (AFMx)

**FINAL JUDGMENT AS TO
DEFENDANT MOHAMMED
PITHAPURWALA**

The Securities and Exchange Commission having filed a Complaint and Defendant Mohammed Pithapurwala (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein in paragraph IV); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “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.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, 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) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$523,031.56 to the Securities and Exchange Commission pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1]. Defendant shall make this payment within 30 days after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at

1 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
2 check, bank cashier's check, or United States postal money order payable to the
3 Securities and Exchange Commission, which shall be delivered or mailed to

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

8 and shall be accompanied by a letter identifying the case title, civil action number,
9 and name of this Court; Mohammed Pithapurwala as a defendant in this action; and
10 specifying that payment is made pursuant to this Final Judgment. Defendant shall
11 simultaneously transmit photocopies of evidence of payment and case identifying
12 information to the Commission's counsel in this action. By making this payment,
13 Defendant relinquishes all legal and equitable right, title, and interest in such funds
14 and no part of the funds shall be returned to Defendant. The Commission shall send
15 the funds paid pursuant to this Final Judgment to the United States Treasury.

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

22 III.

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

1 IV.

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

11 V.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
13 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
14 Final Judgment.

15 VI.

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

19
20 Dated: May 27, 2022

21 
22 _____
23 PERCY ANDERSON
24 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
444 S. Flower Street, Suite 900, Los Angeles, California 90071
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On May 27, 2022, I caused to be served the document entitled **[PROPOSED] FINAL JUDGMENT AS TO DEFENDANT MOHAMMED PITHAPURWALA** on all the parties to this action addressed as stated on the attached service list:

OFFICE MAIL: By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency’s practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

PERSONAL DEPOSIT IN MAIL: By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

EXPRESS U.S. MAIL: Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

HAND DELIVERY: I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

UNITED PARCEL SERVICE: By placing in sealed envelope(s) designated by United Parcel Service (“UPS”) with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

ELECTRONIC MAIL: By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

E-FILING: By causing the document to be electronically filed via the Court’s CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

FAX: By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: May 27, 2022

/s/ Lynn M. Dean
Lynn M. Dean

1 **SEC v. MOHAMMED PITHAPURWALA, et al.**
2 **United States District Court—Central District of California**
3 **Case No. 2:21-cv-09384 PA (AFMx)**

4 **SERVICE LIST**

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