

HON. RICHARD A. JONES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

SECURITIES AND EXCHANGE COMMISSION,  
  
Plaintiff,  
  
v.  
  
SUNG MO JUN, *ET AL.*,  
  
Defendants.

No. 2:21-cv-1108-RAJ

**JUDGMENT AS TO  
DEFENDANT SUNG MO JUN**

The Securities and Exchange Commission having filed a Complaint and Defendant Sung Mo Jun (“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 Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this 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

1 interstate commerce, or of the mails, or of any facility of any national securities exchange, in  
2 connection with the purchase or sale of any security:

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

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

16 II.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to Section  
18 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant is prohibited from acting as an  
19 officer or director of any issuer that has a class of securities registered pursuant to Section 12 of  
20 the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of  
21 the Exchange Act [15 U.S.C. § 78o(d)].  
22

23 III.

24 Upon motion of the Commission, the Court shall determine whether it is appropriate to  
25 order a civil penalty pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]  
26 and, if so, the amount of the civil penalty. In connection with the Commission's motion for civil  
27 penalties, and at any hearing held on such a motion: (a) Defendant will be precluded from  
28

1 arguing that he did not violate the federal securities laws as alleged in the Complaint; (b)  
2 Defendant may not challenge the validity of the Consent or this Judgment; (c) solely for the  
3 purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true  
4 by the Court; and (d) the Court may determine the issues raised in the motion on the basis of  
5 affidavits, declarations, excerpts of sworn deposition or investigative testimony, and  
6 documentary evidence, without regard to the standards for summary judgment contained in Rule  
7 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for  
8 civil penalties, the parties may take discovery, including discovery from appropriate non-parties.  
9

10 IV.

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

15 V.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, for purposes of  
17 exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the  
18 allegations in the complaint are true and admitted by Defendant, and further, any debt for civil  
19 penalty or other amounts due by Defendant under this Judgment or any other judgment, order,  
20 consent order, decree or settlement agreement entered in connection with this proceeding, is a  
21 debt for the violation by Defendant of the federal securities laws or any regulation or order  
22 issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C.  
23 §523(a)(19).  
24

25 VI.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court  
27 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.  
28

VII.

1  
2 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil  
3 Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.  
4

5 DATED this 2nd day of September, 2021.

6   
7 The Honorable Richard A. Jones  
8 United States District Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28