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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

DAWSON L. DAVENPORT; ELITE  
AEROSPACE GROUP, INC. f/k/a  
ELITE AVIATION PRODUCTS,  
INC.; ROBERT A. GUNTON;  
ANDREA J. LINDSTROM;  
MICHAEL P. OWENS; DUSTIN B.  
TILLMAN; JULIE A. YALE; and  
ZEESHAWN S. ZIA

Defendants.

Case No. 8:21-cv-01427-JLS-JDE

**JUDGMENT AS TO DEFENDANT  
DUSTIN B. TILLMAN**

1 The Securities and Exchange Commission having filed a Complaint and  
2 Defendant Dustin B. Tillman having entered a general appearance; consented to the  
3 Court’s jurisdiction over Defendant and the subject matter of this action; consented to  
4 entry of this Judgment without admitting or denying the allegations of the Complaint  
5 (except as to jurisdiction and except as otherwise provided herein in paragraph VII);  
6 waived findings of fact and conclusions of law; and waived any right to appeal from  
7 this Judgment (Doc. 33):

8 I.

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
10 Defendant is permanently restrained and enjoined from violating, directly or  
11 indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange  
12 Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. §  
13 240.10b-5], by using any means or instrumentality of interstate commerce, or of the  
14 mails, or of any facility of any national securities exchange, in connection with the  
15 purchase or sale of any security:

16 (a) to employ any device, scheme, or artifice to defraud;

17 (b) to make any untrue statement of a material fact or to omit to state a  
18 material fact necessary in order to make the statements made, in the light of the  
19 circumstances under which they were made, not misleading; or

20 (c) to engage in any act, practice, or course of business which operates or  
21 would operate as a fraud or deceit upon any person.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as  
23 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also  
24 binds the following who receive actual notice of this Judgment by personal service or  
25 otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and  
26 (b) other persons in active concert or participation with Defendant or with anyone  
27 described in (a).  
28

1 II.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND  
3 DECREED that Defendant is permanently restrained and enjoined from violating  
4 Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. §  
5 77q(a)] in the offer or sale of any security by the use of any means or instruments of  
6 transportation or communication in interstate commerce or by use of the mails,  
7 directly or indirectly:

8 (a) to employ any device, scheme, or artifice to defraud;

9 (b) to obtain money or property by means of any untrue statement of a  
10 material fact or any omission of a material fact necessary in order to make the  
11 statements made, in light of the circumstances under which they were made, not  
12 misleading; or

13 (c) to engage in any transaction, practice, or course of business which  
14 operates or would operate as a fraud or deceit upon the purchaser.

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

21 III.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant  
23 to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and Section 20(e) of  
24 the Securities Act [15 U.S.C. § 77t(e)], Defendant is prohibited from acting as an  
25 officer or director of any issuer that has a class of securities registered pursuant to  
26 Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports  
27 pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].  
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1 IV.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
3 Defendant is permanently barred from participating in an offering of penny stock,  
4 including engaging in activities with a broker, dealer, or issuer for purposes of  
5 issuing, trading, or inducing or attempting to induce the purchase or sale of any penny  
6 stock. A penny stock is any equity security that has a price of less than five dollars,  
7 except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].

8 V.

9 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
10 Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest thereon,  
11 and a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. §  
12 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. The Court  
13 shall determine the amounts of the disgorgement and civil penalty upon motion of the  
14 Commission. Prejudgment interest shall be calculated from January 1, 2014, based  
15 on the rate of interest used by the Internal Revenue Service for the underpayment of  
16 federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the  
17 Commission's motion for disgorgement and/or civil penalties, and at any hearing held  
18 on such a motion: (a) Defendant will be precluded from arguing that he did not  
19 violate the federal securities laws as alleged in the Complaint; (b) Defendant may not  
20 challenge the validity of the Consent or this Judgment; (c) solely for the purposes of  
21 such motion, the allegations of the Complaint shall be accepted as and deemed true  
22 by the Court; and (d) the Court may determine the issues raised in the motion on the  
23 basis of affidavits, declarations, excerpts of sworn deposition or investigative  
24 testimony, and documentary evidence, without regard to the standards for summary  
25 judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In  
26 connection with the Commission's motion for disgorgement and/or civil penalties,  
27 the parties may take discovery, including discovery from appropriate non-parties.  
28

1 VI.

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

6 VII.

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

16 VIII.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court  
18 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this  
19 Judgment.

20 IX.

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

24  
25 Dated: March 10, 2022



26  
27 HON. JOSEPHINE L. STATON  
28 UNITED STATES DISTRICT JUDGE