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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 U.S. SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 NATHANIEL BROWN, BENJAMIN WYLAM,
16 NAVEEN SOOD, MARCUS BANNON,
17 MATTHEW RAUCH, and NARESH RAMAIYA,

18 Defendants.

**JUDGMENT AS TO BENJAMIN
WYLAM**

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20 The Securities and Exchange Commission having filed a Complaint, and Defendant
21 Benjamin Wylam (“Defendant”) having entered a general appearance; consented to the Court’s
22 jurisdiction over Defendant and the subject matter of this action; consented to entry of this
23 Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from
24 this Judgment:
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I.

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

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

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

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21 II.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a
23 civil penalty pursuant to Section 21A of the Exchange Act, 15 U.S.C. § 78u-1. The Court shall
24 determine the amount of the civil penalty upon motion of the Commission. In connection with
25 the Commission’s motion for civil penalties, and at any hearing held on such a motion: (a)
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1 Defendant will be precluded from arguing that he did not violate the federal securities laws as
2 alleged in the Complaint; (b) Defendant may not challenge the validity of the Consent or this
3 Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be
4 accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in
5 the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative
6 testimony, and documentary evidence, without regard to the standards for summary judgment
7 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the
8 Commission's motion for civil penalties, the parties may take discovery, including discovery
9 from appropriate non-parties.
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11 III.

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

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

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

Dated: June 25, 2021



UNITED STATES DISTRICT JUDGE

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