

WHEREAS, the Court entered a preliminary injunction against Defendant on February 24, 2017 (“PI”) (ECF No. 11), extending the relevant provisions of the TRO;

WHEREAS, on April 24, 2017, Magistrate Judge Joseph A. Dickson issued an Order Requiring Defendant To Show Cause Why He Should Not Be Held In Contempt (ECF No. 37), which made factual findings regarding Defendant’s violations of the TRO and PI and ordered Defendant to personally appear before this Court to show cause why he should not be held in contempt;

WHEREAS, the Court finds by clear and convincing evidence that (1) Defendant had actual notice of the TRO at the time of events described in the Motion and the memorandum in support; (2) Defendant had actual notice of the PI at the time of the events described in the Motion and the memorandum in support; (3) Defendant was provided with adequate notice of the April 24, 2017 order, (4) the TRO and PI clearly and unambiguously ordered Defendant to freeze all assets, except for those assets required to be repatriated, prohibited Defendant from dissipating assets, and authorized the SEC to engage in expedited discovery; (5) the evidence is clear and convincing that Defendant has intentionally violated the TRO and the PI by dissipating assets, refusing to repatriate funds, and failing to participate in discovery; and (6) the evidence is clear and convincing that Defendant has failed to show cause why he should not be held in contempt; and,

WHEREAS, the Court is authorized to grant the relief requested in the Motion pursuant to its inherent power to punish contempt, the Court finds as follows:

The Court finds that, based on the evidence presented to this Court, Defendant Yu-Cheng Lin is in contempt of the Court's February 9 and February 24, 2017 Orders. Therefore, the asset freeze instituted as part of this Court's February 9, 2017 Order (ECF No. 5) and February 24, 2017 Order (ECF No. 11) shall remain in full force and effect until further Order of this Court. Furthermore, this Court having found Defendant Yu-Cheng Lin in contempt, Defendant Yu-Cheng Lin is hereby sanctioned in the amount of one thousand dollars (\$1,000) per day from the issuance of this Order until such time as this Court determines that Defendant Yu-Cheng Lin is in full compliance with this Court's prior orders; and it is further

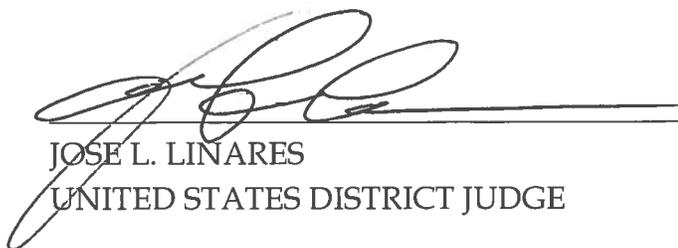
ORDERED that the Clerk of Court shall immediately issue a warrant for the arrest of Defendant Yu-Cheng Lin for his failure to obey this Court's February 9 and February 24, 2017 Orders. Any United States Marshal, or any person authorized by the federal government including (but not limited to) U.S. Customs and Border Control or BICE to arrest and incarcerate a person pursuant to any lawfully issued arrest warrant, shall have the authority to arrest Defendant Yu-Cheng Lin and incarcerate Defendant Yu-Cheng Lin at the nearest federal detention center; and it is further

ORDERED that, upon his arrest, Defendant Yu-Cheng Lin shall be brought forthwith before this Court for any appropriate further judicial action at said time; and it is further

ORDERED that the United States Marshal or other any arresting officer shall immediately notify this Court and Plaintiff's attorneys of the fact of Defendant Yu-Cheng Lin's arrest; and it is further

ORDERED that Defendant Yu-Cheng Lin shall be detained in custody until otherwise ordered by the Court.

Dated: 5/23/17, 2017



JOSE L. LINARES
UNITED STATES DISTRICT JUDGE