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**NO JS-6**

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 U.S. Securities and Exchange Commission

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

SECURITIES AND EXCHANGE  
 COMMISSION,

Plaintiff,

vs.

DAVID PRAISE, a/k/a Musa Mohamed,  
 a/k/a David Praise Edwards, a/k/a David  
 Enrique Fernandez, *et al.*,

Defendants,

and,

MARINCO, INC., *et al.*

Relief Defendants.

Case No.

**2:09-CV-2802-SJ0-PLAX**

**AGREED FINAL JUDGMENT  
 AGAINST KAMANGA MWANGI**

**The Honorable S. James Otero**

Before the Court is the Consent of Kamanga Mwangi to the entry of an  
 Agreed Final Judgment of this Court. According to the settlement agreement  
 between the parties:

**I.**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Kamanga  
2 Mwangi, having consented to being named as a relief defendant in this proceeding  
3 solely for purposes of equitable relief, is hereby ordered to pay disgorgement in the  
4 amount of \$380,000 constituting funds in his possession as a custodian of investor  
5 funds. Mwangi shall satisfy this obligation by paying \$380,000 within 365 days of  
6 the entry of this Agreed Final Judgment to the Clerk of this Court, together with a  
7 letter identifying Kamanga Mwangi as a Relief Defendant in this action; setting  
8 forth the title and civil action number of this action and the name of this Court; and  
9 specifying that payment is made pursuant to this Agreed Final Judgment. Mwangi  
10 shall simultaneously transmit photocopies of such payment and letter to the  
11 Commission's counsel in this action. By making this payment, Mwangi  
12 relinquishes all legal and equitable right, title, and interest in such funds, and no  
13 part of the funds shall be returned to him. The Clerk shall deposit the funds into an  
14 interest bearing account with the Court Registry Investment System ("CRIS") or  
15 any other type of interest bearing account that is utilized by the Court. These  
16 funds, together with any interest and income earned thereon (collectively, the  
17 "Fund"), shall be held in the interest bearing account until further order of the  
18 Court. In accordance with 28 U.S.C. § 1914 and the guidelines set by the Director  
19 of the Administrative Office of the United States Courts, the Clerk is directed,  
20 without further order of this Court, to deduct from the income earned on the money  
21 in the Fund a fee equal to ten percent of the income earned on the Fund. Such fee  
22 shall not exceed that authorized by the Judicial Conference of the United States.  
23 The Commission may propose a plan to distribute the Fund subject to the Court's  
24 approval. Mwangi shall pay post-judgment interest on any amount unpaid after  
25 thirty days from the entry of this Agreed Judgment in accordance with U.S. C. §  
26 1961.

27 **II.**

28 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all

1 claims for relief asserted by the Commission under Sections 5(a), 5(c) and 17(a) of  
2 the Securities Act of 1933 (“Securities Act”), Section 10(b) of the Securities  
3 Exchange Act of 1934 (the “Exchange Act”) and Rule 10b-5 promulgated  
4 thereunder are hereby dismissed by agreement of the parties.

5 **III.**

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, there  
7 being no just reason for delay, the Clerk of the Court is hereby directed, pursuant  
8 to Rule 54(b) of the Federal Rules of Civil Procedure, to enter this Agreed Final  
9 Judgment forthwith.

10 IT IS SO ORDERED.

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12 Dated: 18 day of February, 2010.

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14 UNITED STATES DISTRICT JUDGE  
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