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

9 SECURITIES AND EXCHANGE
10 COMMISSION,

11 Plaintiff,

12 vs.

13 ALERO ODELL MACK, JR.;
14 STEVEN ENRICO LOPEZ, SR.;
15 EASY EQUITY ASSET MANAGEMENT,
16 INC.; EASY EQUITY MANAGEMENT,
17 L.P.; EASY EQUITY PARTNERS, L.P.;
18 ALERO EQUITIES THE REAL ESTATE
19 COMPANY, L.L.C.; and
20 ALERO I.X. CORPORATION,

21 Defendants.

Case No. CV 10-8383 DSF (PJWx)

**FINAL JUDGMENT OF
PERMANENT INJUNCTION AND
OTHER RELIEF AGAINST ALERO
ODELL MACK, JR.**

22 Pursuant to Rule 56 of the Federal Rules of Civil Procedure, the Motion for
23 Summary Judgment Against Alero Odell Mack, Jr. by Plaintiff Securities and
24 Exchange Commission ("Commission") came before the Court. The Court, having
25 considered the Commission's Motion, the Memorandum of Points and Authorities
26 and the other documents filed in support of the Motion, finds that:

27 **I.**

28 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
Commission's Motion for Summary Judgment against Defendant Mack is
GRANTED.

1 **II.**

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
3 Defendant Mack and his agents, servants, employees, attorneys, and all persons in
4 active concert or participation with them who receive actual notice of this Final
5 Judgment by personal service or otherwise are permanently restrained and enjoined
6 from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”),
7 15 U.S.C. § 77q(a), in the offer or sale of securities by the use of means or
8 instruments of transportation or communication in interstate commerce or by use
9 of the mails, directly or indirectly:

- 10 (a) to employ any device, scheme, or artifice to defraud;
11 (b) to obtain money or property by means of any untrue statement of a
12 material fact or any omission to state a material fact necessary in order
13 to make the statements made, in light of the circumstances under
14 which they were made, not misleading; or
15 (c) to engage in any transaction, practice, or course of business which
16 operates or would operate as a fraud or deceit upon the purchaser.

17 **III.**

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
19 Defendant Mack and his agents, servants, employees, attorneys, and all persons in
20 active concert or participation with them who receive actual notice of this
21 Judgment by personal service or otherwise are permanently restrained and
22 enjoined from violating, directly or indirectly, Section 10(b) of the Securities
23 Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5
24 promulgated thereunder, 17 C.F.R. § 240.10b-5, by using any means or
25 instrumentality of interstate commerce, of the mails, or of any facility of a
26 national securities exchange, in connection with the purchase or sale of any
27 security:

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

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

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

7 **IV.**

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
9 Defendant Mack and his agents, servants, employees, attorneys, and all persons in
10 active concert or participation with them who receive actual notice of this Final
11 Judgment by personal service or otherwise are permanently restrained and enjoined
12 from violating Sections 206(1) and 206(2) of the Investment Advisers Act of 1940
13 (“Advisers Act”), 15 U.S.C. §§ 80b-6(1)-(2), by using the mails or means and
14 instrumentalities of interstate commerce, while acting as an investment adviser,
15 directly or indirectly:

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

18 (b) to engage in any transaction, practice, or course of business which
19 operates as a fraud or deceit upon any client or prospective client.

20 **V.**

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
22 Defendant Mack and his agents, servants, employees, attorneys, and all persons in
23 active concert or participation with them who receive actual notice of this Final
24 Judgment by personal service or otherwise are permanently restrained and enjoined
25 from violating Section 206(4) of the Advisers Act, 15 U.S.C. § 80b-6(4), and Rule
26 206(4)-8 promulgated thereunder, 17 C.F.R. § 275.206(4)-8, by the use of the
27 mails or means and instrumentalities of interstate commerce, directly or indirectly,
28 while acting as an investment adviser to a pooled investment vehicle, to:

- 1 (a) make any untrue statement of a material fact or to omit to state a
2 material fact necessary to make the statements made, in the light of
3 the circumstances under which they were made, not misleading, to
4 any investor or prospective investor in the pooled investment vehicle;
5 or
6 (b) otherwise engage in any act, practice, or course of business that is
7 fraudulent, deceptive, or manipulative with respect to any investor or
8 prospective investor in the pooled investment vehicle.

9 **VI.**

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
11 Defendant Mack is liable for disgorgement of \$1,079,879 representing profits
12 gained as a result of the conduct alleged in the Complaint, together with
13 prejudgment interest thereon in the amount of \$58,905.32 and a civil penalty in the
14 amount of \$150,000 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. §
15 77t(d), Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3), and Section
16 209(e)(1) of the Advisers Act, 15 U.S.C. § 80b-9(e)(1). Defendant Mack shall
17 satisfy this obligation by paying \$1,288,784.32 to the Commission within 14 days
18 after entry of this Final Judgment.

19 Defendant Mack may transmit payment electronically to the Commission,
20 which will provide detailed ACH transfer/Fedwire instructions upon request.
21 Payment may also be made directly from a bank account or by credit or debit card
22 via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>.
23 Defendant Mack may also pay by certified check, bank cashier's check, or United
24 States postal money order payable to the Commission, which shall be delivered or
25 mailed to

26 Enterprise Services Center
27 Accounts Receivable Branch
28 6500 South MacArthur Boulevard

1 Oklahoma City, OK 73169

2 and shall be accompanied by a letter identifying the case title, civil action number,
3 and name of this Court; Alero Odell Mack, Jr. as a Defendant in this action; and
4 specifying that payment is made pursuant to this Final Judgment.

5 Defendant shall simultaneously transmit photocopies of evidence of
6 payment and case identifying information to the Commission's counsel in this
7 action. By making this payment, Defendant Mack relinquishes all legal and
8 equitable right, title, and interest in such funds and no part of the funds shall be
9 returned to Defendant Mack. The Commission shall send the funds paid pursuant
10 to this Final Judgment to the United States Treasury.

11 The Commission may enforce the Court's judgment for disgorgement and
12 prejudgment interest by moving for civil contempt (and/or through other collection
13 procedures authorized by law) at any time after 14 days following entry of this
14 Final Judgment. Defendant Mack shall pay post judgment interest on any
15 delinquent amounts pursuant to 28 U.S.C. § 1961.

16 **VII.**

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

20 **VIII.**

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 Final Judgment
23 forthwith and without further notice.

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26 Dated: August 7, 2012



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HON. DALE S. FISCHER
UNITED STATES DISTRICT JUDGE