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

11 SECURITIES AND EXCHANGE
 COMMISSION,
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 Plaintiff,
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 vs.
 14 MICHAEL ANTHONY GONZALEZ,
 15
 Defendant.

Case No. CV 12-03319 SJO (PLAx)

**PRELIMINARY INJUNCTION AND
 ORDERS:**
 (1) **FREEZING ASSETS;**
 (2) **REQUIRING ACCOUNTINGS;**
 (3) **PROHIBITING THE
 DESTRUCTION OF
 DOCUMENTS;**
 (4) **GRANTING EXPEDITED
 DISCOVERY**

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1 **II.**

2 IT IS FURTHER ORDERED that Defendant, and his agents, servants,
3 employees, attorneys, and affiliates, and those persons in active concert or
4 participation with any of them, who receive actual notice of this Order, by personal
5 service or otherwise, and each of them, be and hereby are preliminarily restrained
6 and enjoined from, directly or indirectly, in connection with the purchase or sale of
7 any security, by the use of any means or instrumentality of interstate commerce, or
8 of the mails, or of any facility of any national securities exchange:

9 A. employing any device, scheme or artifice to defraud;

10 B. making any untrue statement of a material fact or omitting to state a
11 material fact necessary in order to make the statements made, in the
12 light of the circumstances under which they were made, not
13 misleading; or

14 C. engaging in any act, practice, or course of business which operates or
15 would operate as a fraud or deceit upon any person;

16 in violation of Section 10(b) of the Exchange Act of 1934 (the "Exchange Act"),
17 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.

18 **III.**

19 IT IS FURTHER ORDERED that Defendant, and his agents, servants,
20 employees, attorneys, and affiliates, and those persons in active concert or
21 participation with any of them, who receive actual notice of this Order, by personal
22 service or otherwise, and each of them, be and hereby are preliminarily restrained
23 and enjoined from, directly or indirectly making use of the mails or means or
24 instrumentalities of interstate commerce to effect transactions in, or to induce or
25 attempt to induce the purchase or sale of securities, without being registered as a
26 broker or dealer in accordance with Section 15(b) of the Exchange Act, 15 U.S.C.
27 § 78o(b), in violation of Section 15(a) of the Exchange Act, 15 U.S.C. § 78o(a).

28 **IV.**

1 IT IS FURTHER ORDERED that, except as otherwise ordered by this
2 Court, Defendant, and his agents, servants, employees, attorneys, and affiliates,
3 and those persons in active concert or participation with any of them, who receive
4 actual notice of this Order, by personal service or otherwise, and each of them, be
5 and hereby are preliminarily restrained and enjoined from, directly or indirectly:

- 6 A. transferring, assigning, selling, hypothecating, changing, wasting,
7 dissipating, converting, concealing, encumbering, or otherwise
8 disposing of, in any manner, any funds, assets, securities, claims, or
9 other real or personal property, wherever located, of Defendant,
10 whether owned by, controlled by, managed by or in his possession or
11 custody;
- 12 B. transferring, encumbering, dissipating, incurring charges or cash
13 advances on any debit or credit card or credit arrangement of
14 Defendant.

15 V.

16 IT IS FURTHER ORDERED that, except as otherwise ordered by this
17 Court, an immediate freeze shall be placed on all monies and assets (with an
18 allowance for necessary and reasonable living expenses to be granted only upon
19 good cause shown by application to the Court with notice to and an opportunity for
20 the Commission to be heard) in all accounts at any bank, financial institution or
21 brokerage firm, all certificates of deposit, and other funds or assets, held in the
22 name of, for the benefit of, or over which account authority is held by Defendant,
23 or any trust, partnership, joint venture, person or entity affiliated with any of them
24 (including subsidiaries), including, but not limited to, the accounts set forth below:

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26 Company	Account Name	Account Number
27 Amalgamated Bank	Michael A. Gonzalez	116004748

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Company	Account Name	Account Number
Banco Popular North America	Michael Gonzalez	Unknown
Bank of America, NA	Michael A. Gonzalez, sole proprietor dba Michael Gonzalez INV	0328922652
Citibank, NA	Michael A. Gonzalez	40054726134
East West Bank	Michael Gonzalez	Unknown
E*TRADE Securities LLC	Michael Gonzalez	60645468 60559207 66632921 67097643
First Commercial Bank USA	Michael Anthony Gonzalez	006-001754
JP Morgan Chase Bank, NA	Michael Gonzalez INV	952433548
JP Morgan Chase Bank, NA	Michael A. Gonzalez	868433475
JP Morgan Chase Bank, NA	Michael A. Gonzalez	952432862
One West Bank	M.G. Inv.	2107074481
TD Ameritrade	Michael A. Gonzalez SEP IRA Michael Gonzalez Michael A. Gonzalez	756-035542 778-577951 785-675171
Wells Fargo Bank, NA	Michael A. Gonzalez	3904107673
Wells Fargo Bank, NA	M. Gonzalez	6045293443

Company	Account Name	Account Number
Wescom Credit Union Internet Online Bank	Michael Gonzalez	923664

VI.

IT IS FURTHER ORDERED that any person who receives actual notice of this Order by personal service or otherwise, and who holds, possesses, or controls assets exceeding \$1,000.00 for the account or benefit of Defendant, shall within five (5) days of receiving actual notice of this Order provide to counsel for the Commission a written statement identifying all such assets, the value of the assets, or best approximation thereof, and any account number(s) or account name(s) in which the assets are held.

VII.

IT IS FURTHER ORDERED that Defendant shall, within five days of the issuance of this Order, prepare and deliver to the Commission a detailed and complete schedule of all of his assets, including all real and personal property exceeding \$5,000 in value, and all bank, securities, futures and other accounts identified by institution, branch address and account number. The accountings shall include a description of the source(s) of all such assets. Such accountings shall be filed with the Court and copies shall be delivered to the attention of Spencer Bendell at the Commission's Los Angeles Regional Office, located at 5670 Wilshire Blvd., Los Angeles, CA 90036. After completion of the accountings, Defendant shall produce to the Commission's Los Angeles Regional Office, at a time agreeable to the Commission, all books, records and other documents supporting or underlying his accountings.

VIII.

IT IS FURTHER ORDERED that, except as otherwise ordered by this Court, Defendant, and his agents, servants, employees, attorneys, and affiliates, and those persons in active concert or participation with any of them, who receive

1 actual notice of this Order, by personal service or otherwise, and each of them, be
2 and hereby are preliminarily restrained and enjoined from, directly or indirectly:
3 destroying, mutilating, concealing, transferring, altering, or otherwise disposing of,
4 in any manner, any documents, which includes all books, records, computer
5 programs, computer files, computer printouts, contracts, correspondence,
6 memoranda, brochures, or any other documents of any kind in their possession,
7 custody or control, however created, produced, or stored (manually, mechanically,
8 electronically, or otherwise), pertaining in any manner to the allegations set forth
9 in the Complaint in this action.

10 **IX.**

11 IT IS FURTHER ORDERED that the Commission's application for
12 expedited discovery is granted and that, immediately upon entry of this Order, the
13 Commission may take discovery of parties and non-parties.

14 **X.**

15 IT IS FURTHER ORDERED that the hearing previously set for May 25,
16 2012 at 9:00 a.m. is hereby vacated.

17 **XI.**

18 IT IS FURTHER ORDERED that this Court shall retain jurisdiction over
19 this action for the purpose of implementing and carrying out the terms of all orders
20 and decrees which may be entered herein and to entertain any suitable application
21 or motion to modify relief or for additional relief within the jurisdiction of this
22 Court.

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24 IT IS SO ORDERED.

25 May 24, 2012



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27 The Hon. S. James Otero
28 United States District Judge