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

11
12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 SCOTT LONDON AND BRYAN SHAW,

17 Defendants.
18

Case No. 13-CV-02558 RGK (PJWx)

**FINAL JUDGMENT AS TO
DEFENDANT BRYAN SHAW**

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

24 **I.**

25 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
26 and Defendant’s agents, servants, employees, attorneys, and all persons in active
27 concert or participation with them who receive actual notice of this Judgment by
28

1 personal service or otherwise are permanently restrained and enjoined from
2 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
3 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated
4 thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of
5 interstate commerce, or of the mails, or of any facility of any national securities
6 exchange, in connection with the purchase or sale of any security:

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

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

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

13 II.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
15 Defendant is liable for disgorgement of \$1.27 million, representing profits gained
16 as a result of the conduct alleged in the Complaint. The payment of disgorgement
17 in this case shall be deemed satisfied by the entry of an order of restitution in the
18 parallel criminal action, *United States v. Bryan Shaw*, Case No. CR13-10314 (C.D.
19 Cal.). In the event that Defendant is not ordered to pay restitution in the criminal
20 matter, Defendant shall satisfy this obligation by paying \$1.27 million to the
21 Commission within 14 days after his sentencing hearing in *United States v. Bryan*
22 *Shaw*, Case No. CR13-10314 (C.D. Cal.).

23 Defendant may transmit payment electronically to the Commission, which
24 will provide detailed ACH transfer/Fedwire instructions upon request. Payment
25 may also be made directly from a bank account via Pay.gov through the
26 Commission website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant
27 may also pay by certified check, bank cashier’s check, or United States postal
28

1 money order payable to the Securities and Exchange Commission, which shall be
2 delivered or mailed to

3 Enterprise Services Center
4 Accounts Receivable Branch
5 6500 South MacArthur Boulevard
6 Oklahoma City, OK 73169

7 and shall be accompanied by a letter identifying the case title, civil action number,
8 and name of this Court; Bryan Shaw as a defendant in this action; and specifying
9 that payment is made pursuant to this Final Judgment.

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

16 Defendant shall pay post judgment interest on any delinquent amounts
17 pursuant to 28 U.S.C. § 1961.

18 **III.**

19 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
20 that Defendant shall pay a civil penalty in the amount of \$635,893.00 to the
21 Securities and Exchange Commission pursuant to 21A of the Exchange Act [15
22 U.S.C. § 78u-1]. Defendant shall make this payment within 14 days after entry of
23 this Final Judgment.

24 Defendant may transmit payment electronically to the Commission, which
25 will provide detailed ACH transfer/Fedwire instructions upon request. Payment
26 may also be made directly from a bank account via Pay.gov through the SEC
27 website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by
28

1 certified check, bank cashier's check, or United States postal money order payable
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13 and no part of the funds shall be returned to Defendant. The Commission shall
14 send the funds paid pursuant to this Final Judgment to the United States Treasury.
15 Defendant shall pay post-judgment interest on any delinquent amounts pursuant to
16 28 USC § 1961.

17 **IV.**

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
19 Defendant's Consent is incorporated herein with the same force and effect as if
20 fully set forth herein, and that Defendant shall comply with all of the undertakings
21 and agreements set forth therein.

22 **V.**

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

26 Dated: August 7, 2013

Gary Klavans

UNITED STATES DISTRICT JUDGE