

JS-6

1 LYNN M. DEAN, Cal. Bar No. 205562
Email: deanl@sec.gov
2 WILLIAM S. FISKE, Cal. Bar. No. 123071
Email: fiskew@sec.gov

3 Attorneys for Plaintiff
4 Securities and Exchange Commission
Michele Wein Layne, Regional Director
5 Lorraine B. Echavarria, Associate Regional Director
John W. Berry, Regional Trial Counsel
6 5670 Wilshire Boulevard, 11th Floor
Los Angeles, California 90036
7 Telephone: (323) 965-3998
Facsimile: (323) 965-3908

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.

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

**JUDGMENT AS TO DEFENDANT
SCOTT LONDON**

18
19 The Securities and Exchange Commission having filed a Complaint and
20 Defendant Scott London having entered a general appearance; consented to the
21 Court's jurisdiction over Defendant and the subject matter of this action; consented
22 to entry of this Judgment; waived findings of fact and conclusions of law; and
23 waived any right to appeal from this 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 HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
15 that Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest
16 thereon, and a civil penalty pursuant to 21A of the Exchange Act, [15 U.S.C.
17 § 78u-1]. The Court shall determine the amounts of the disgorgement and civil
18 penalty upon motion of the Commission. Prejudgment interest shall be calculated
19 from October 1, 2010 based on the rate of interest used by the Internal Revenue
20 Service for the underpayment of federal income tax as set forth in 26 U.S.C.
21 § 6621(a)(2). In connection with the Commission's motion for disgorgement
22 and/or civil penalties, and at any hearing held on such a motion: (a) Defendant will
23 be precluded from arguing that he did not violate the federal securities laws as
24 alleged in the Complaint; (b) Defendant may not challenge the validity of the
25 Consent or this Judgment; (c) solely for the purposes of such motion, the
26 allegations of the Complaint shall be accepted as and deemed true by the Court;
27 and (d) the Court may determine the issues raised in the motion on the basis of
28

1 affidavits, declarations, excerpts of sworn deposition or investigative testimony,
2 and documentary evidence, without regard to the standards for summary judgment
3 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection
4 with the Commission's motion for disgorgement and/or civil penalties, the parties
5 may take discovery, including discovery from appropriate non-parties.

6 III.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
8 Consent is incorporated herein with the same force and effect as if fully set forth
9 herein, and that Defendant shall comply with all of the undertakings and
10 agreements set forth therein.

11 IV.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
13 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
14 of this Judgment.

15
16 Dated: June 27, 2013



UNITED STATES DISTRICT JUDGE