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 10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**
 12 **Western Division**

13
 14 **SECURITIES AND EXCHANGE**
COMMISSION,

15 **Plaintiff,**

16 **vs.**

17
 18 **ENVIRO BOARD CORPORATION,**
GLENN B. CAMP, WILLIAM J.
 19 **PEIFFER, and JOSHUA D.**
MOSSHART,

20 **Defendants.**

Case No. 2:16-cv-06427-R-SS

FINAL JUDGMENT AS TO
DEFENDANT WILLIAM J. PEIFFER

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant William J. Peiffer (“Defendant”) having entered a general appearance;
3 consented to the Court’s jurisdiction over Defendant and the subject matter of this
4 action; consented to entry of this Final Judgment without admitting or denying the
5 allegations of the Complaint (except as to jurisdiction and except as otherwise
6 provided herein in paragraph VI); waived findings of fact and conclusions of law; and
7 waived any right to appeal from this Final Judgment:

8 I.

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
10 permanently restrained and enjoined from violating, directly or indirectly, Section
11 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. §
12 78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5, by using any
13 means or instrumentality of interstate commerce, or of the mails, or of any facility of
14 any national securities exchange, in connection with the purchase or sale of any
15 security:

- 16 (a) to employ any device, scheme, or artifice to defraud;
17 (b) to make any untrue statement of a material fact or to omit to state a
18 material fact necessary in order to make the statements made, in the light
19 of the circumstances under which they were made, not misleading; or
20 (c) to engage in any act, practice, or course of business which operates or
21 would operate as a fraud or deceit upon any person.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
23 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
24 binds the following who receive actual notice of this Final Judgment by personal
25 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
26 attorneys; and (b) other persons in active concert or participation with Defendant or
27 with anyone described in (a).

1 II.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
3 Defendant is permanently restrained and enjoined from violating Section 17(a) of the
4 Securities Act of 1933 (the “Securities Act”), 15 U.S.C. § 77q(a), in the offer or sale
5 of any security by the use of any means or instruments of transportation or
6 communication in interstate commerce or by use of the mails, directly or indirectly:

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

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
15 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
16 binds the following who receive actual notice of this Final Judgment by personal
17 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
18 attorneys; and (b) other persons in active concert or participation with Defendant or
19 with anyone described in (a).

20 III.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant
22 to Section 21(d)(2) of the Exchange Act, 15 U.S.C. § 78u(d)(2), and/or Section 20(e)
23 of the Securities Act, 15 U.S.C. § 77t(e), Defendant is prohibited from acting as an
24 officer or director of any issuer that has a class of securities registered pursuant to
25 Section 12 of the Exchange Act, 15 U.S.C. § 78l, or that is required to file reports
26 pursuant to Section 15(d) of the Exchange Act, 15 U.S.C. § 78o(d).

27 IV.

28 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant

1 is liable for disgorgement of \$343,200.00, representing profits gained as a result of
2 the conduct alleged in the Complaint, together with prejudgment interest thereon in
3 the amount of \$16,898.93, and a civil penalty in the amount of \$175,000.00 pursuant
4 to Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e) and Section 21(d)(2) of the
5 Exchange Act, 15 U.S.C. § 78u(d)(2). Defendant shall satisfy this obligation by
6 paying \$535,098.93 to the Securities and Exchange Commission within 14 days after
7 entry of this Final Judgment.

8 Defendant may transmit payment electronically to the Commission, which will
9 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also
10 be made directly from a bank account via Pay.gov through the SEC website at
11 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
12 check, bank cashier's check, or United States postal money order payable to the
13 Securities and Exchange Commission, which shall be delivered or mailed to

14 Enterprise Services Center
15 Accounts Receivable Branch
16 6500 South MacArthur Boulevard
17 Oklahoma City, OK 73169

18 and shall be accompanied by a letter identifying the case title, civil action number,
19 and name of this Court; William J. Peiffer as a defendant in this action; and
20 specifying that payment is made pursuant to this Final Judgment.

21 Defendant shall simultaneously transmit photocopies of evidence of payment
22 and case identifying information to the Commission's counsel in this action. By
23 making this payment, Defendant relinquishes all legal and equitable right, title, and
24 interest in such funds and no part of the funds shall be returned to Defendant. The
25 Commission shall send the funds paid pursuant to this Final Judgment to the United
26 States Treasury. The Commission may enforce the Court's judgment for
27 disgorgement and prejudgment interest by moving for civil contempt (and/or through
28 other collection procedures authorized by law) at any time after 14 days following

1 entry of this Final Judgment. Defendant shall pay post judgment interest on any
2 delinquent amounts pursuant to 28 U.S.C. § 1961.

3 V.

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

8 VI.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for
10 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
11 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,
12 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
13 amounts due by Defendant under this Final Judgment or any other judgment, order,
14 consent order, decree or settlement agreement entered in connection with this
15 proceeding, is a debt for the violation by Defendant of the federal securities laws or
16 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of
17 the Bankruptcy Code, 11 U.S.C. §523(a)(19).

18 VII.

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

22 VIII.

23 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
24 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith
25 and without further notice.

26
27 Dated: December 5, 2017

28 
UNITED STATES DISTRICT JUDGE
MANUEL L. REAL