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

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

FINAL JUDGMENT AS TO
DEFENDANT ENVIRO BOARD
CORPORATION

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Enviro Board Corporation (“Defendant”) having entered a general
3 appearance; consented to the Court’s jurisdiction over Defendant and the subject
4 matter of this action; consented to entry of this Final Judgment without admitting or
5 denying the allegations of the Complaint (except as to jurisdiction); waived findings
6 of fact and conclusions of law; and waived any right to appeal from this Final
7 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 HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
22 Defendant is permanently restrained and enjoined from violating Section 5 of the
23 Securities Act, 15 U.S.C. § 77e, by, directly or indirectly, in the absence of any
24 applicable exemption:

- 25 (a) Unless a registration statement is in effect as to a security, making use of
26 any means or instruments of transportation or communication in
27 interstate commerce or of the mails to sell such security through the use
28 or medium of any prospectus or otherwise;

- 1 (b) Unless a registration statement is in effect as to a security, carrying or
2 causing to be carried through the mails or in interstate commerce, by any
3 means or instruments of transportation, any such security for the purpose
4 of sale or for delivery after sale; or
- 5 (c) Making use of any means or instruments of transportation or
6 communication in interstate commerce or of the mails to offer to sell or
7 offer to buy through the use or medium of any prospectus or otherwise
8 any security, unless a registration statement has been filed with the
9 Commission as to such security, or while the registration statement is the
10 subject of a refusal order or stop order or (prior to the effective date of
11 the registration statement) any public proceeding or examination under
12 Section 8 of the Securities Act, 15 U.S.C. § 77h.

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

19 IV.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
21 is liable for disgorgement of \$3,481,831.00, representing profits gained as a result of
22 the conduct alleged in the Complaint, together with prejudgment interest thereon in
23 the amount of \$171,442.91, and a civil penalty in the amount of \$750,000.00 pursuant
24 to Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e) and Section 21(d)(2) of the
25 Exchange Act, 15 U.S.C. § 78u(d)(2). Defendant's disgorgement and prejudgment
26 interest obligation shall be credited by any amounts paid to the Commission by co-
27 defendants Glenn B. Camp, William J. Peiffer, and Joshua D. Mosshart as either
28 disgorgement or prejudgment interest in connection with the above-captioned matter.

1 Defendant shall satisfy this obligation by paying \$4,403,273.91 to the Securities and
2 Exchange Commission within 14 days after entry of this Final Judgment.

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

9 Enterprise Services Center
10 Accounts Receivable Branch
11 6500 South MacArthur Boulevard
12 Oklahoma City, OK 73169

13 and shall be accompanied by a letter identifying the case title, civil action number,
14 and name of this Court; Enviro Board Corporation as a defendant in this action; and
15 specifying that payment is made pursuant to this Final Judgment.

16 Defendant shall simultaneously transmit photocopies of evidence of payment
17 and case identifying information to the Commission's counsel in this action. By
18 making this payment, Defendant relinquishes all legal and equitable right, title, and
19 interest in such funds and no part of the funds shall be returned to Defendant. The
20 Commission shall send the funds paid pursuant to this Final Judgment to the United
21 States Treasury. The Commission may enforce the Court's judgment for
22 disgorgement and prejudgment interest by moving for civil contempt (and/or through
23 other collection procedures authorized by law) at any time after 14 days following
24 entry of this Final Judgment. Defendant shall pay post judgment interest on any
25 delinquent amounts pursuant to 28 U.S.C. § 1961.

26 V.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
28 Consent is incorporated herein with the same force and effect as if fully set forth

1 herein, and that Defendant shall comply with all of the undertakings and agreements
2 set forth therein.

3 VI.

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

7 VII.

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

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13 Dated: December 5, 2017



14 UNITED STATES DISTRICT JUDGE
15 MANUEL L. REAL
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