

1 DOUGLAS M. MILLER (Cal. Bar No. 240398)
Email: millerdou@sec.gov
2 TAMAR M. BRAZ (Cal. Bar No. 264080)
Email: brazt@sec.gov
3

4 Attorneys for Plaintiff
Securities and Exchange Commission
5 Michele Wein Layne, Regional Director
Alka N. Patel, Associate Regional Director
6 Amy J. Longo, Regional Trial Counsel
444 S. Flower Street, Suite 900
7 Los Angeles, California 90071
Telephone: (323) 965-3998
8 Facsimile: (213) 443-1904

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11

12
13 **SECURITIES AND EXCHANGE**
14 **COMMISSION,**

15 Plaintiff,

16 vs.

17 **ANAND JAYAPALAN, ANANDA**
18 **KUMAR ANANDA, also known as**
19 **“Kumar Ananda,” RAJNI NAIR, and**
VIJAYA ANANDA,

20 Defendants.
21

Case No. CV 17-7186 PA (MRWx)

FINAL JUDGMENT AS TO
DEFENDANT VIJAYA ANANDA

22 The Securities and Exchange Commission having filed a Complaint and
23 Defendant Vijaya Ananda having entered a general appearance; consented to the
24 Court’s jurisdiction over Defendant and the subject matter of this action; consented to
25 entry of this Final Judgment without admitting or denying the allegations of the
26 Complaint (except as to jurisdiction and except as otherwise provided herein in
27 paragraph III); waived findings of fact and conclusions of law; and waived any right
28 to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 14(e) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78n(e)] and Rule 14e-3 [17 C.F.R. § 240.14e-3] promulgated thereunder, in connection with any tender offer or request or invitation for tenders, from engaging in any fraudulent, deceptive, or manipulative act or practice, by:

- (a) purchasing or selling or causing to be purchased or sold the securities sought or to be sought in such tender offer, securities convertible into or exchangeable for any such securities or any option or right to obtain or dispose of any of the foregoing securities while in possession of material information relating to such tender offer that Defendant knows or has reason to know is nonpublic and knows or has reason to know has been acquired directly or indirectly from the offering person; the issuer of the securities sought or to be sought by such tender offer; or any officer, director, partner, employee or other person acting on behalf of the offering person or such issuer, unless within a reasonable time prior to any such purchase or sale such information and its source are publicly disclosed by press release or otherwise; or
- (b) communicating material, nonpublic information relating to a tender offer, which Defendant knows or has reason to know is nonpublic and knows or has reason to know has been acquired directly or indirectly from the offering person; the issuer of the securities sought or to be sought by such tender offer; or any officer, director, partner, employee, advisor, or other person acting on behalf of the offering person or such issuer, to any person under circumstances in which it is reasonably foreseeable that such communication is likely to result in the purchase or sale of securities in the manner described in subparagraph (a) above,

1 45 days after entry of this Final Judgment.

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

8 Enterprise Services Center

9 Accounts Receivable Branch

10 6500 South MacArthur Boulevard

11 Oklahoma City, OK 73169

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

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

21 The Commission may enforce the Court's judgment for disgorgement and
22 prejudgment interest by moving for civil contempt (and/or through other collection
23 procedures authorized by law) at any time after 14 days following entry of this Final
24 Judgment. Defendant shall pay post judgment interest on any delinquent amounts
25 pursuant to 28 U.S.C. § 1961.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III.

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

IV.

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

Dated: February 27, 2018



Percy Anderson
UNITED STATES DISTRICT JUDGE