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 10 U.S. Securities and Exchange Commission

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA
 13 WESTERN DIVISION

15 U.S. SECURITIES AND EXCHANGE
 16 COMMISSION,
 17 Plaintiff,
 18 vs.
 19 SLOBODAN DRAGOJLOVIC,
 20 Defendant.

Case No. 2:18-cv-09456

~~PROPOSED~~ FINAL JUDGMENT

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

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

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

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

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II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 14(e) of 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:

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(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, except that this paragraph shall not apply to a communication made in good faith

(i) to the officers, directors, partners or employees of the offering person, to its advisors or to other persons, involved

1 in the planning, financing, preparation or execution of such
2 tender offer;

- 3 (ii) to the issuer whose securities are sought or to be sought by
4 such tender offer, to its officers, directors, partners,
5 employees or advisors or to other persons involved in the
6 planning, financing, preparation or execution of the
7 activities of the issuer with respect to such tender offer; or
8 (iii) to any person pursuant to a requirement of any statute or
9 rule or regulation promulgated thereunder.
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11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
12 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who
13 receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant's
14 officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or
15 participation with Defendant or with anyone described in (a).
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18 **III.**

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for
20 disgorgement of \$20,101, representing profits gained as a result of the conduct alleged in the
21 Complaint, together with prejudgment interest thereon in the amount of \$1,038, and a civil
22 penalty in the amount of \$20,101 pursuant to Section 21A of the Exchange Act [15 U.S.C.
23 § 78u-1]. Defendant shall satisfy this obligation by paying \$41,240 to the Securities and
24 Exchange Commission within 14 days after entry of this Final Judgment.
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26 Defendant may transmit payment electronically to the Commission, which will provide
27 detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly
28 from a bank account via Pay.gov through the SEC website at

1 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank
2 cashier's check, or United States postal money order payable to the Securities and Exchange
3 Commission, which shall be delivered or mailed to

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

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

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

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

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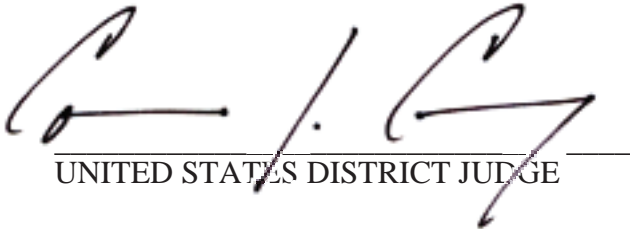
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securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

V.

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: 12/12/2018, _____



UNITED STATES DISTRICT JUDGE