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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

GREGORY LAMONT DRAKE, an
individual; STEPHEN KENNETH
GROSSMAN, an individual;
STEPHEN SCOTT MOLESKI, an
individual; JASON DAVID ST.
AMOUR, an individual; and DAVID
ALAN WOLFSON, an individual,

Defendants.

Case No.: 2:20-cv-00405-MCS-PLA

**FINAL JUDGMENT AS TO
DEFENDANT STEPHEN SCOTT
MOLESKI**

1 This matter came before the Court on plaintiff United States Securities and
2 Exchange Commission's ("Commission's") Motion for Monetary Remedies as to
3 Defendant Stephen Scott Moleski. The Court, having considered all the evidence
4 and arguments presented by the parties with regard to the Motion, Plaintiff's
5 Memorandum of Points and Authorities in support of the Motion, all other
6 documents filed in support of the Motion, and the record in this action, finds that:

7 **I.**

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
9 Commission's Motion for Monetary Remedies as to Defendant Stephen Scott
10 Moleski is GRANTED.

11 **II.**

12 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
13 that Defendant is permanently restrained and enjoined from violating, directly or
14 indirectly, Section 15(a)(1) of the Exchange Act [15 U.S.C. § 78o(a)(1)] by using
15 any means or instrumentality of interstate commerce, or of the mails, or of any
16 facility of any national securities exchange, to effect transactions in, or induce or
17 attempt to induce the purchase or sale of, securities while not registered with the
18 Commission as a broker or dealer or while not associated with an entity registered
19 with the Commission as a broker or dealer.

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

26 **III.**

27 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
28 that Defendant is permanently restrained and enjoined from, directly or indirectly,

1 including, but not limited to, through any entity owned or controlled by Defendant,
2 soliciting any person or entity to purchase or sell any security.

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

9 **IV.**

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
11 that Defendant is ordered to pay disgorgement of \$206,524.57, representing net
12 profits gained as a result of the conduct alleged in the Complaint, together with
13 prejudgment interest thereon in the amount of \$35,375.17. The Court further
14 imposes a civil penalty in the amount of \$195,047 pursuant to Section 21(d)(3) of
15 the Exchange Act, 15 U.S.C. § 78u(d)(3). Defendant shall satisfy these obligations
16 by paying the amount of disgorgement, pre-judgment interest, and civil penalty,
17 totaling \$436,946.74, to the Securities and Exchange Commission within 30 days
18 after entry of this Final Judgment.

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

25 Enterprise Services Center
26 Accounts Receivable Branch
27 6500 South MacArthur Boulevard
28 Oklahoma City, OK 73169

1 and shall be accompanied by a letter identifying the case title, civil action number,
2 and name of this Court; Stephen Scott Moleski as a defendant in this action; and
3 specifying that payment is made pursuant to this Final Judgment.

4 Defendant shall simultaneously transmit photocopies of evidence of
5 payment and case identifying information to the Commission's counsel in this
6 action. By making this payment, Defendant relinquishes all legal and equitable
7 right, title, and interest in such funds and no part of the funds shall be returned to
8 Defendant.

9 The Commission shall hold the funds (collectively, the "Fund") until further
10 order of this Court. The SEC may propose a plan to distribute the Fund subject to
11 the Court's approval, and the Court shall retain jurisdiction over the administration
12 of any distribution of the Fund.

13 The Commission may enforce the Court's judgment for disgorgement and
14 prejudgment interest by using all collection procedures authorized by law,
15 including, but not limited to, moving for civil contempt at any time after 30 days
16 following entry of this Final Judgment.

17 The Commission may enforce the Court's judgment for penalties by the use
18 of all collection procedures authorized by law, including the Federal Debt
19 Collection Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil
20 contempt for the violation of any Court orders issued in this action. Defendant
21 shall pay post judgment interest on any amounts due after 30 days of the entry of
22 this Final Judgment pursuant to 28 U.S.C. § 1961. The Commission shall hold the
23 funds, together with any interest and income earned thereon (collectively, the
24 "Fund"), pending further order of the Court.

25 The Commission may propose a plan to distribute the Fund subject to the
26 Court's approval. Such a plan may provide that the Fund shall be distributed
27 pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act
28 of 2002. The Court shall retain jurisdiction over the administration of any

1 Defendant of the federal securities laws or any regulation or order issued under
2 such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C.
3 §523(a)(19).

4 **VI.**

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

8 **VII.**

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

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13 Dated: October 7, 2021



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15 MARK C. SCARSI
16 UNITED STATES DISTRICT JUDGE
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