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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

DAVID J. BUNEVACZ, MARY
HAYCA BUNEVACZ,
CAESARBRUTUS LLC, CB
HOLDING GROUP CORP., AND
BRUTUS CALIFORNIA VENTURES
CORP.,

Defendants.

Case No. 2:22-cv-02284-SB-JC

**FINAL JUDGMENT AS TO
DEFENDANT MARY HAYCA
BUNEVACZ**

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Mary Hayca Bunevacz (“Bunevacz”) 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 V); 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 Section 5 of the Securities Act
11 [15 U.S.C. § 77e] by, directly or indirectly, in the absence of any applicable
12 exemption:

- 13 (a) Unless a registration statement is in effect as to a security, making
14 use of any means or instruments of transportation or
15 communication in interstate commerce or of the mails to sell such
16 security through the use or medium of any prospectus or
17 otherwise;
- 18 (b) Unless a registration statement is in effect as to a security,
19 carrying or causing to be carried through the mails or in interstate
20 commerce, by any means or instruments of transportation, any
21 such security for the purpose of sale or for delivery after sale; or
- 22 (c) Making use of any means or instruments of transportation or
23 communication in interstate commerce or of the mails to offer to
24 sell or offer to buy through the use or medium of any prospectus
25 or otherwise any security, unless a registration statement has been
26 filed with the Commission as to such security, or while the
27 registration statement is the subject of a refusal order or stop order
28 or (prior to the effective date of the registration statement) any

1 public proceeding or examination under Section 8 of the Securities
2 Act [15 U.S.C. § 77h].

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 Final Judgment by personal
6 service or otherwise: (a) Defendant's officers, agents, servants, employees, and
7 attorneys; and (b) other persons in active concert or participation with Defendant or
8 with anyone described in (a).

9 **II.**

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
11 Defendant is liable for disgorgement of \$50,990, representing net profits gained as a
12 result of the conduct alleged in the Complaint, together with prejudgment interest
13 thereon in the amount of \$1,773.84, and a civil penalty in the amount of \$10,360
14 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d). Defendant shall
15 satisfy this obligation by paying \$63,123.84 to the Securities and Exchange
16 Commission pursuant to the terms of the payment schedule set forth in paragraph III
17 below after entry of this Final Judgment.

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

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

1 and shall be accompanied by a letter identifying the case title, civil action number,
2 and name of this Court; Mary Hayca Bunevacz 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 payment
5 and case identifying information to the Commission's counsel in this action. By
6 making this payment, Defendant relinquishes all legal and equitable right, title, and
7 interest in such funds and no part of the funds shall be returned to Defendant.

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

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

20 The Commission may propose a plan to distribute the Fund subject to the
21 Court's approval. Such a plan may provide that the Fund shall be distributed
22 pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of
23 2002. The Court shall retain jurisdiction over the administration of any distribution
24 of the Fund and the Fund may only be disbursed pursuant to an Order of the Court.

25 Regardless of whether any such Fair Fund distribution is made, amounts
26 ordered to be paid as civil penalties pursuant to this Judgment shall be treated as
27 penalties paid to the government for all purposes, including all tax purposes. To
28 preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or

1 reduction of any award of compensatory damages in any Related Investor Action
2 based on Defendant's payment of disgorgement in this action, argue that she is
3 entitled to, nor shall she further benefit by, offset or reduction of such compensatory
4 damages award by the amount of any part of Defendant's payment of a civil penalty
5 in this action ("Penalty Offset"). If the court in any Related Investor Action grants
6 such a Penalty Offset, Defendant shall, within 30 days after entry of a final order
7 granting the Penalty Offset, notify the Commission's counsel in this action and pay
8 the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as
9 the Commission directs. Such a payment shall not be deemed an additional civil
10 penalty and shall not be deemed to change the amount of the civil penalty imposed in
11 this Judgment. For purposes of this paragraph, a "Related Investor Action" means a
12 private damages action brought against Defendant by or on behalf of one or more
13 investors based on substantially the same facts as alleged in the Complaint in this
14 action.

15 III.

16 Mary Hayca Bunevacz shall pay the total of disgorgement, prejudgment
17 interest, and penalty due of \$63,123.84 in two (2) installments to the Commission
18 according to the following schedule: (1) \$31,561.92, within 180 days of entry of this
19 Final Judgment; (2) \$31,561.92 within 364 days of entry of this Final Judgment.
20 Payments shall be deemed made on the date they are received by the Commission and
21 shall be applied first to post judgment interest, which accrues pursuant to 28 U.S.C. §
22 1961 on any unpaid amounts due after 30 days of the entry of Final Judgment. Prior
23 to making the final payment set forth herein, Hayca shall contact the staff of the
24 Commission for the amount due for the final payment.

25 If Hayca fails to make any payment by the date agreed and/or in the amount
26 agreed according to the schedule set forth above, all outstanding payments under this
27 Final Judgment, including post-judgment interest, minus any payments made, shall
28 become due and payable immediately at the discretion of the staff of the Commission

1 without further application to the Court.

2 **IV.**

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

7 **V.**

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

17 **VI.**

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

21 **VII.**

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

25
26 Dated: March 7, 2023



27 _____
28 Stanley Blumenfeld, Jr.
UNITED STATES DISTRICT JUDGE