

1  
2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **EASTERN DIVISION**

11  
12 SECURITIES AND EXCHANGE  
13 COMMISSION,

14 Plaintiff,

15 vs.

16 FORUM NATIONAL INVESTMENTS LTD.,  
17 DANIEL CLOZZA,  
18 ROBERT LOGAN DUNN,  
19 WILLIAM BRAD ANGUKA, and  
20 AHMAD FARID GHAZNAWI,

Defendants.

**CIVIL ACTION**  
ED CV14-02376 JAK (DTBx)

21 **AMENDED FINAL JUDGMENT AS TO DEFENDANT WILLIAM ANGUKA**

22 The Securities and Exchange Commission ("SEC") having filed a Complaint  
23 and Defendant William Anguka ("Anguka" or "Defendant") having entered a general  
24 appearance; consented to the Court's jurisdiction over Defendant and the subject  
25 matter of this action; and waived findings of fact and conclusions of law:  
26

27 I.  
28

1 On February 29, 2016, the Court -- with the Defendant's consent -- entered the  
2 Judgment of Permanent Injunction and Disgorgement as to Defendant William  
3 Anguka (the "February 29 Judgment"). Anguka consented to entry of Judgment  
4 without admitting or denying the allegations of the Complaint (except as to  
5 jurisdiction and except as otherwise provided); and waived any right to appeal from  
6 the Judgment, which provided as follows:  
7

8  
9 A.

10 IT IS ORDERED, ADJUDGED, AND DECREED that Defendant is  
11 permanently restrained and enjoined from violating, directly or indirectly, Section  
12 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. §  
13 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using  
14 any means or instrumentality of interstate commerce, or of the mails, or of any  
15 facility of any national securities exchange, in connection with the purchase or sale of  
16 any security:  
17  
18

19 (a) to employ any device, scheme, or artifice to defraud;

20 (b) to make any untrue statement of a material fact or to omit to state a material  
21 fact necessary in order to make the statements made, in the light of the  
22 circumstances under which they were made, not misleading; or  
23

24 (c) to engage in any act, practice, or course of business which operates or  
25 would operate as a fraud or deceit upon any person.  
26  
27  
28

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

9 B.

10 IT IS ORDERED, ADJUDGED, AND DECREED that Defendant is  
11 permanently restrained and enjoined from violating, directly or indirectly, Section  
12 17(b) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. §§ 77q(b)], by  
13 publishing or circulating any advertisement or communication describing a security  
14 without fully disclosing the compensation received in exchange for the advertisement  
15 or communication  
16  
17

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

26 C.  
27  
28

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant  
2 is permanently barred from participating in an offering of penny stock, including  
3 engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading,  
4 or inducing or attempting to induce the purchase or sale of any penny stock. A penny  
5 stock is any equity security that has a price of less than five dollars, except as  
6 provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].  
7

8  
9 D.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court  
11 shall, upon motion of the SEC, order whether Defendant should be required to pay a  
12 civil penalty pursuant to Sections 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and  
13 Section 21(d)(3) of the Exchange Act [15 USC § 78u(d)(3)]. Defendant further agrees  
14 that in connection with the SEC's motion, and at any hearing held on such a motion:  
15

16 (a) Defendant will be precluded from arguing that he did not violate the federal  
17 securities laws as alleged in the Complaint; (b) Defendant may not challenge the  
18 validity of this Consent or the Judgment; (c) solely for the purposes of such motion,  
19 the allegations of the Complaint shall be accepted as and deemed true by the Court;  
20 and (d) the Court may determine the issues raised in the motion on the basis of  
21 affidavits, declarations, excerpts of sworn deposition or investigative testimony, and  
22 documentary evidence, without regard to the standards for summary judgment  
23 contained in Rule 56(c) of the Federal Rules of Civil Procedure except that either  
24  
25  
26  
27  
28

1 Party may move the Court to allow discovery in connection with such motion and any  
2 opposition to such motion.

3  
4 E.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant  
6 is liable for disgorgement of \$44,811, representing profits gained as a result of the  
7 conduct alleged in the Complaint, together with prejudgment interest thereon in the  
8 amount of \$4,819. Defendant shall satisfy this obligation by paying \$49,630 to the  
9 SEC within 14 days after entry of the February 29, 2016 Judgment.  
10

11  
12 Defendant may transmit payment electronically to the SEC, which will provide  
13 detailed ACH transfer/Fedwire instructions upon request. Payment may also be made  
14 directly from a bank account via Pay.gov through the SEC website at  
15 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified  
16 check, bank cashier's check, or United States postal money order payable to the  
17 Securities and Exchange Commission, which shall be delivered or mailed to  
18

19  
20 Enterprise Services Center  
21 Accounts Receivable Branch  
22 500 South MacArthur Boulevard  
23 Oklahoma City, OK 73169

24 and shall be accompanied by a letter identifying the case title, civil action number,  
25 and name of this Court; William Brad Anguka as a defendant in this action; and  
26 specifying that payment is made pursuant to this Judgment.  
27  
28

1 Defendant shall simultaneously transmit photocopies of evidence of payment  
2 and case identifying information to the SEC's counsel in this action. By making this  
3 payment, Defendant relinquishes all legal and equitable right, title, and interest in  
4 such funds and no part of the funds shall be returned to Defendant. The SEC shall  
5 send the funds paid pursuant to this Judgment to the United States Treasury.  
6

7 Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28  
8 USC § 1961.  
9

10 F.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
12 Consent is incorporated herein with the same force and effect as if fully set forth  
13 herein, and that Defendant shall comply with all of the undertakings and agreements  
14 set forth therein.  
15  
16

17 G.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for  
19 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,  
20 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,  
21 and further, any debt for disgorgement, prejudgment interest, civil penalty or other  
22 amounts due by Defendant under this Judgment or any other judgment, order, consent  
23 order, decree or settlement agreement entered in connection with this proceeding, is a  
24 debt for the violation by Defendant of the federal securities laws or any regulation or  
25  
26  
27  
28

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

3  
4 Anguka waived any right to appeal from these terms. They remain in full  
5 effect.

6 II.

7  
8 The February 29 Judgment left whether a civil penalty should be ordered  
9 against Anguka for later determination of the Court. The SEC having properly  
10 moved the Court for an order of a civil penalty against Anguka, and the Court having  
11 considered the submissions on these issues,  
12

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that, pursuant to  
14 Sections 20(d) of the Securities Act of 1933 [15 U.S.C. §77t(d)] and Section 21(d)(3)  
15 of the Securities Exchange Act of 1934 [15 USC § 78u(d)(3)], Defendant is liable for  
16 a civil penalty in the amount of \$10,000. Defendant shall satisfy this obligation by  
17 paying \$ 10,000 to the SEC within 14 days after entry of this Amended Judgment.  
18  
19

20 Defendant may transmit payment electronically to the SEC, which will  
21 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also  
22 be made directly from a bank account via Pay.gov through the SEC website at  
23 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified  
24 check, bank cashier's check, or United States postal money order payable to the  
25 Securities and Exchange Commission, which shall be delivered or mailed to  
26  
27

28 Enterprise Services Center  
Accounts Receivable Branch

1                     6500 South MacArthur Boulevard  
2                     Oklahoma City, OK 73169

3                     and shall be accompanied by a letter identifying the case title, civil action number,  
4                     and name of this Court; William Anguka as a defendant in this action; and specifying  
5                     that payment is made pursuant to this Final Judgment.

6                     Defendant shall simultaneously transmit photocopies of evidence of payment  
7                     and case identifying information to the SEC's counsel in this action. By making this  
8                     payment, Defendant relinquishes all legal and equitable right, title, and interest in  
9                     such funds and no part of the funds shall be returned to Defendant. The SEC shall  
10                    send the funds paid pursuant to this Final Judgment to the United States Treasury.  
11                    Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28  
12                    U.S.C. § 1961.  
13

14  
15  
16   III.

17  
18                    IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court  
19                    shall retain jurisdiction of this matter for the purposes of enforcing the terms of this  
20                    Final Judgment.

21  
22  
23                    Dated: November 21, 2016

24  
25   

26   \_\_\_\_\_  
27   John A. Kronstadt  
28   United States District Judge