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

FILED
CLERK, U.S. DISTRICT COURT
June 8, 2017
CENTRAL DISTRICT OF CALIFORNIA
BY: **VPC** DEPUTY

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

PATRIC KEN BACCAM, a/k/a
Khanh Sengpraseuth,

Defendant, and

PRECISION RESEARCH GROUP
LLC, and PRIM GROUP LLC,

Relief Defendants.

Case No. 5:17-cv-00172-SJO (SPx)

**ORDER GRANTING FINAL
JUDGMENT BY DEFAULT AGAINST
DEFENDANT PATRIC KEN BACCAM,
AND RELIEF DEFENDANTS
PRECISION RESEARCH GROUP LLC
AND PRIM GROUP LLC**

1 This matter came to be heard upon the motion of Plaintiff Securities and
2 Exchange Commission (“SEC” or “Commission”) for entry of a default judgment
3 against Defendant Ken Patric Baccam, a/k/a Khanh Sengpraseuth, and Relief
4 Defendants Precision Research Group LLC (“Precision Research”) and Prim Group
5 LLC (“Prim Group”) pursuant to Fed. R. Civ. P. 55(b)(2) and Local Rule 55-1. The
6 Court has considered all of the evidence filed by the SEC in support of its motion and
7 orders as follows:

8 **I.**

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
10 Commission’s Motion for Entry of Default Judgment Against Defendant Baccam and
11 Relief Defendants Precision Research and Prim Group is **GRANTED**.

12 **II.**

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

- 20 (a) to employ any device, scheme, or artifice to defraud;
- 21 (b) to make any untrue statement of a material fact or to omit to state a
22 material fact necessary in order to make the statements made, in the light of the
23 circumstances under which they were made, not misleading; or
- 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 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
27 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
28 binds the following who receive actual notice of this Final Judgment by personal

1 service or otherwise: (a) Defendant Baccam’s officers, agents, servants, employees,
2 and attorneys; and (b) other persons in active concert or participation with Defendant
3 Baccam or with anyone described in (a).

4 **III.**

5 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
6 Defendant Baccam is permanently restrained and enjoined from violating Section
7 17(a) of the Securities Act of 1933 (the “Securities Act”), 15 U.S.C. § 77q(a), in the
8 offer or sale of any security by the use of any means or instruments of transportation
9 or communication in interstate commerce or by use of the mails, directly or
10 indirectly:

- 11 (a) to employ any device, scheme, or artifice to defraud;
- 12 (b) to obtain money or property by means of any untrue statement of a
13 material fact or any omission of a material fact necessary in order to make the
14 statements made, in light of the circumstances under which they were made,
15 not misleading; or
- 16 (c) to engage in any transaction, practice, or course of business which
17 operates or would operate as a fraud or deceit upon the purchaser.

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 Final Judgment by personal
21 service or otherwise: (a) Defendant Baccam’s officers, agents, servants, employees,
22 and attorneys; and (b) other persons in active concert or participation with Defendant
23 Baccam or with anyone described in (a).

24 **IV.**

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
26 Baccam is permanently restrained and enjoined from violating Section 15(a) of the
27 Exchange Act, 15 U.S.C. § 78o(a), by, directly or indirectly, making use of the mails
28 or any means or instrumentalities of interstate commerce to effect transactions in, or

1 to induce or attempt to induce, the purchase or sale of any security, without being
2 registered as a broker or dealer with the Commission, or being associated with a
3 broker or dealer that is registered with the Commission.

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

10 **V.**

11 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED** that
12 Defendant Baccam is prohibited from, directly or indirectly, including, but not
13 limited to, through any entity owned or controlled by Defendant Baccam,
14 participating in the issuance, purchase, offer, or sale of any security, provided,
15 however, that Defendant Baccam is not prohibited from purchasing or selling
16 securities listed on a national securities exchange for his own personal accounts.

17 **VI.**

18 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Defendant
19 Baccam is liable for disgorgement of \$332,943, representing profits gained as a result
20 of the conduct alleged in the SEC's Complaint that is attributable solely to him,
21 together with prejudgment interest thereon in the amount of \$68,982, for a total of
22 \$401,925. Defendant Baccam and Relief Defendant Precision Research are further
23 liable, jointly and severally, for \$203,756, representing profits gained as a result of
24 the conduct alleged in the SEC's Complaint that is attributable to both Defendant
25 Baccam and Relief Defendant Precision Research, together with prejudgment interest
26 thereon in the amount of \$29,881, for a total of \$233,637. Finally, Defendant
27 Baccam and Relief Defendant Prim Group are liable, jointly and severally, for
28 \$94,000, representing profits gained as a result of the conduct alleged in the SEC's

1 Complaint that is attributable to both Defendant Baccam and Relief Defendant Prim
2 Group, together with prejudgment interest thereon in the amount of \$17,067, for a
3 total of \$111,067.

4 Defendant Baccam and Relief Defendants Precision Research and Prim Group
5 shall satisfy these obligations by making payments to the Securities and Exchange
6 Commission within 14 days after entry of this Final Judgment. Defendant Baccam
7 and Relief Defendants Precision Research and Prim Group may transmit payment
8 electronically to the Commission, which will provide detailed ACH transfer/Fedwire
9 instructions upon request. Payment may also be made directly from a bank account
10 via Pay.gov through the SEC website at

11 <http://www.sec.gov/about/offices/ofm.htm>. Defendant Baccam and Relief

12 Defendants Precision Research and Prim Group may also pay by certified check,
13 bank cashier's check, or United States postal money order payable to the Securities
14 and Exchange Commission, which shall be delivered or mailed to

15
16 Enterprise Services Center
17 Accounts Receivable Branch
18 6500 South MacArthur Boulevard
19 Oklahoma City, OK 73169

20 and shall be accompanied by a letter identifying the case title, civil action number,
21 and name of this Court; Ken Patric Baccam, Precision Research, and/or Prim Group
22 as defendant/relief defendants in this action; and specifying that payment is made
23 pursuant to this Final Judgment.

24 Defendant Baccam and Relief Defendants Precision Research and Prim Group
25 shall simultaneously transmit photocopies of evidence of payment and case
26 identifying information to the Commission's counsel in this action. By making this
27 payment, Defendant Baccam and Relief Defendants Precision Research and Prim
28 Group relinquish all legal and equitable right, title, and interest in such funds and no
part of the funds shall be returned to them.

1 The Commission shall hold the funds (collectively, the “Fund”) and may
2 propose a plan to distribute the Fund subject to the Court’s approval. The Court shall
3 retain jurisdiction over the administration of any distribution of the Fund. If the
4 Commission staff determines that the Fund will not be distributed, the Commission
5 shall send the funds paid pursuant to this Final Judgment to the United States
6 Treasury.

7 The Commission may enforce the Court’s judgment for disgorgement and
8 prejudgment interest by moving for civil contempt (and/or through other collection
9 procedures authorized by law) at any time after 14 days following entry of this Final
10 Judgment. Defendant Baccam and Relief Defendants Precision Research and Prim
11 Group shall pay post judgment interest on any delinquent amounts pursuant to 28
12 U.S.C. § 1961.

13 VII.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
15 Baccam shall pay a civil penalty in the amount of \$203,756 to the Securities and
16 Exchange Commission pursuant to Section 20(d)(1) of the Securities Act, 15 U.S.C. §
17 77t(d)(1), and Section 21(d)(3)(A) of the Exchange Act, 15 U.S.C. § 78u(d)(3)(A).
18 Defendant shall make this payment within 14 days after entry of this Final Judgment.

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

1 Enterprise Services Center
2 Accounts Receivable Branch
3 6500 South MacArthur Boulevard
4 Oklahoma City, OK 73169

5 and shall be accompanied by a letter identifying the case title, civil action number,
6 and name of this Court; Ken Patric Baccam as a defendant in this action; and
7 specifying that payment is made pursuant to this Final Judgment.

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

15 **VIII.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that for
17 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
18 11 U.S.C. § 523, the allegations in the SEC's Complaint are true and admitted by
19 Defendant Baccam, and further, any debt for disgorgement, prejudgment interest,
20 civil penalty, or other amounts due by Defendant Baccam under this Final Judgment
21 or any other judgment, order, consent order, decree, or settlement agreement entered
22 in connection with this proceeding, is a debt for the violation by Defendant Baccam
23 of the federal securities laws or any regulation or order issued under such laws, as set
24 forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. § 523(a)(19).

25 **IX.**

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

S. James Otero

DATED: 6/8/17

HONORABLE S. JAMES OTERO
UNITED STATES DISTRICT JUDGE

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