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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

PETER H. POCKLINGTON,
LANTSON E. ELDRED, TERRENCE
J. WALTON, YOLANDA C.
VELAZQUEZ a/k/a LANA
VELAZQUEZ a/k/a LANA PULEO,
VANESSA PULEO, ROBERT A.
VANETTEN, NOVA OCULUS
PARTNERS, LLC, f/k/a THE EYE
MACHINE, LLC, and AMC
HOLDINGS, LLC,

Defendants.

EVA S. POCKLINGTON, DTR
HOLDINGS, LLC, COBRA
CHEMICAL, LLC, and GOLD STAR
RESOURCES, LLC,

Relief Defendants.

Case No. 5:18-cv-00701-FLA (SPx)

**FINAL JUDGMENT AS TO
DEFENDANT TERRENCE J.
WALTON [DKT. 174]**

1 **FINAL JUDGMENT AS TO TERRENCE J. WALTON**

2 The Securities and Exchange Commission (the “Commission”) having filed a
3 Complaint and Defendant Terrence J. Walton (“Defendant”) having entered a general
4 appearance; consented to the court’s jurisdiction over Defendant and the subject
5 matter of this action; consented to entry of this Final Judgment without admitting or
6 denying the allegations of the Complaint (except as to jurisdiction and except as
7 otherwise provided herein in paragraph III); waived findings of fact and conclusions
8 of law; and waived any right to appeal from this Final Judgment:

9 **I.**

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
11 permanently restrained and enjoined from violating Section 17(a)(3) of the Securities
12 Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)(3)] in the offer or sale of any
13 security by the use of any means or instruments of transportation or communication
14 in interstate commerce or by use of the mails, directly or indirectly:

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

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

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II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$27,162.00 to the Securities and Exchange Commission pursuant to Section 20(d) of the Securities Act 15 U.S.C. § 77t(d). Defendant shall make this payment within 30 days after entry of this Final Judgment.

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

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this court; Terrence J. Walton as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

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

The Commission may enforce the court's judgment for penalties by the use of all collection procedures authorized by law, including the Federal Debt Collection Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the violation of any court orders issued in this action. Defendant shall pay post judgment interest on any amounts due after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961. The Commission shall hold the funds, together with any interest

1 and income earned thereon (collectively, the “Fund”), pending further order of the
2 court.

3 The Commission may propose a plan to distribute the Fund subject to the
4 court’s approval. Such a plan may provide that the Fund shall be distributed pursuant
5 to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002.
6 The court shall retain jurisdiction over the administration of any distribution of the
7 Fund, and the Fund may only be disbursed pursuant to an Order of the court.

8 Regardless of whether any such Fair Fund distribution is made, amounts
9 ordered to be paid as civil penalties pursuant to this Judgment shall be treated as
10 penalties paid to the government for all purposes, including all tax purposes. To
11 preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or
12 reduction of any award of compensatory damages in any Related Investor Action
13 based on Defendant’s payment of disgorgement in this action, argue that he is entitled
14 to, nor shall he further benefit by, offset or reduction of such compensatory damages
15 award by the amount of any part of Defendant’s payment of a civil penalty in this
16 action (“Penalty Offset”). If the court in any Related Investor Action grants such a
17 Penalty Offset, Defendant shall, within 30 days after entry of a final order granting
18 the Penalty Offset, notify the Commission’s counsel in this action and pay the amount
19 of the Penalty Offset to the United States Treasury or to a Fair Fund, as the
20 Commission directs. Such a payment shall not be deemed an additional civil penalty
21 and shall not be deemed to change the amount of the civil penalty imposed in this
22 Judgment. For purposes of this paragraph, a “Related Investor Action” means a
23 private damages action brought against Defendant by or on behalf of one or more
24 investors based on substantially the same facts as alleged in the Complaint in this
25 action.

26 III.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for
28 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,

1 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant,
2 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
3 amounts due by Defendant under this Final Judgment or any other judgment, order,
4 consent order, decree or settlement agreement entered in connection with this
5 proceeding, is a debt for the violation by Defendant of the federal securities laws or
6 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of
7 the Bankruptcy Code, 11 U.S.C. §523(a)(19).

8 **IV.**

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this court
10 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
11 Final Judgment.

12 Dated: May 9, 2022



FERNANDO L. AENLLE-ROCHA
United States District Judge