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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

vs.

**DANIEL B. VAZQUEZ, SR.,
GILBERT FLUETSCH, AND
HOPLON FINANCIAL GROUP,**

Defendant.

Case No. 8:18-cv-0047 CJC (KESx)

**FINAL JUDGMENT AS TO
HOPLON FINANCIAL GROUP**

Date: August 13, 2018

Time: 1:30 p.m.

Ctrm: 9B

Judge: Hon. Cormac J. Carney

1 **FINAL JUDGMENT AS TO DEFENDANT HOPLON FINANCIAL GROUP**

2 This cause came before the Court upon Plaintiff Securities and Exchange
3 Commission's ("SEC") Motion for Entry of Default Judgments ("Motion") against
4 Defendants Daniel B. Vazquez, Sr. and Hoplon Financial Group ("Hoplon"). The
5 Court, having considered the SEC's Complaint, the Motion, the supporting
6 Memorandum of Points and Authorities, the supporting declarations and exhibits, and
7 the other evidence and argument presented to the Court, orders that:

8 I.

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the SEC's
10 Motion for Entry of Default Judgment Against Defendant Hoplon Financial Group is
11 GRANTED.

12 II.

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Hoplon is
14 permanently restrained and enjoined from violating, directly or indirectly, Section
15 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. §
16 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using
17 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

1 binds the following who receive actual notice of this Final Judgment by personal
2 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
3 attorneys; and (b) other persons in active concert or participation with Defendant or
4 with anyone described in (a).

5 III.

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

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

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

25 IV.

26 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
27 Hoplon is permanently restrained and enjoined from violating, directly or indirectly,
28 Section 15(a) of the Exchange Act [15 U.S.C. § 78o(a)] by the use of any means or

1 instruments of transportation or communication in interstate commerce or by use of
2 the mails, to effect any transaction in, or induce or attempt to induce the purchase or
3 sale of, any security without being registered with the Commission or being
4 associated with a registered broker or dealer that is not a natural person.

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

11 V.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Hoplon is
13 liable for disgorgement of \$252,447, representing profits gained as a result of the
14 conduct alleged in the Complaint, together with prejudgment interest thereon in the
15 amount of \$45,069.83. Hoplon shall satisfy this obligation by paying \$297,516.83 to
16 the Securities and Exchange Commission within 14 days after entry of this Final
17 Judgment.

18 Hoplon 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>. Hoplon may also pay by certified check,
22 bank cashier's check, or United States postal money order payable to the Securities
23 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 and shall be accompanied by a letter identifying the case title, civil action number,
and name of this Court; Hoplon Financial Group as a defendant in this action; and

1 specifying that payment is made pursuant to this Final Judgment.

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

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

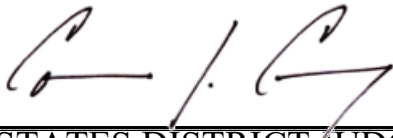
13 VI.

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

17 VII.

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

21 Dated: August 7, 2018

22 
23 _____
24 UNITED STATES DISTRICT JUDGE