

1 JINA L. CHOI (New York Bar No. 154425)
2 MICHAEL S. DICKE (Cal. Bar No. 158187)
3 JENNIFER J. LEE (Cal. Bar No. 261399)
leejen@sec.gov

4 Attorneys for Plaintiff
5 SECURITIES AND EXCHANGE COMMISSION
6 44 Montgomery Street, 26th Floor
7 San Francisco, California 94104
8 Telephone: (415) 705-2500
9 Facsimile: (415) 705-2501

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 SECURITIES AND EXCHANGE COMMISSION,
13 Plaintiff,
14 v.
15 TYRONE HAWK,
16 Defendant.

Case No. 05:14-cv-01466-BLF

~~XXXXXXXX~~ FINAL JUDGMENT AS TO DEFENDANT TYRONE HAWK

17 The Securities and Exchange Commission having filed a Complaint and Defendant
18 Tyrone Hawk ("Defendant") having entered a general appearance; consented to the Court's
19 jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final
20 Judgment without admitting or denying the allegations of the Complaint (except as to
21 jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal
22 from this Final Judgment:

I.

23 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and
24 Defendant's agents, servants, employees, attorneys, and all persons in active concert or
25 participation with them who receive actual notice of this Final Judgment by personal service or
26 otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section
27 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and
28 Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or

1 instrumentality of interstate commerce, or of the mails, or of any facility of any national
2 securities exchange, in connection with the purchase or sale of any security:

- 3 (a) to employ any device, scheme, or artifice to defraud;
- 4 (b) to make any untrue statement of a material fact or to omit to state a material fact
5 necessary in order to make the statements made, in the light of the circumstances
6 under which they were made, not misleading; or
- 7 (c) to engage in any act, practice, or course of business which operates or would
8 operate as a fraud or deceit upon any person.

9 II.

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
11 is liable for disgorgement of \$151,480.00, representing profits gained as a result of the conduct
12 alleged in the Complaint, together with prejudgment interest thereon in the amount of \$2,654.52,
13 and a civil penalty in the amount of \$151,480.00 pursuant to Section 21A of the Exchange Act
14 [15 U.S.C. § 78u-1]. Defendant shall satisfy this obligation by paying \$305,614.52 to the
15 Securities and Exchange Commission within 14 days after entry of this Final Judgment.

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

22 Enterprise Services Center
23 Accounts Receivable Branch
24 6500 South MacArthur Boulevard
Oklahoma City, OK 73169

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

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

6 VII.

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

10 VIII.

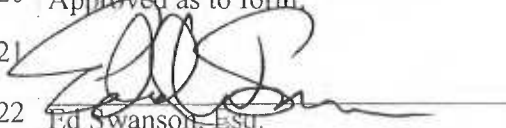
11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain
12 jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

13 IX.

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

16
17 Dated: April 28, 2014

18 
19 UNITED STATES DISTRICT JUDGE

20 Approved as to form:
21 
22 Ed Swanson, Esq.
23 Swanson & McNamara LLP
24 Attorney for Defendant Tyrone Hawk

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1 Submitted by:

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Jennifer J. Lee

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leejen@sec.gov

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44 Montgomery Street, Suite 2800

7

San Francisco, California 94104

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Telephone: 415-705-2500

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Facsimile: 415-705-2501

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Attorneys for Plaintiff

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SECURITIES AND EXCHANGE COMMISSION

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