

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-80432-CIV-ZLOCH

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

**FINAL JUDGMENT AND
PERMANENT INJUNCTION AS TO
DEFENDANT PAUL M. GOZZO**PAUL M. GOZZO and PMG CAPITAL,
LLC.Defendants.

THIS MATTER is before the Court upon the Consent Of Defendant Paul M. Gozzo (DE 3). The Court has carefully reviewed said Consent and the entire Court file and is otherwise fully advised in the premises.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED that the Consent of Defendant Paul M. Gozzo be and the same is hereby approved, adopted, and ratified by the Court. And pursuant to Federal Rules of Civil Procedure 65 Final Judgment And Permanent Injunction be and the same is hereby **ENTERED** for Plaintiff Securities And Exchange Commission and against Defendant Paul M. Gozzo as follows:

I. Violation Of Section 10(b) of the Exchange Act
And Rule 10b-5 Thereunder

Defendant Paul M. Gozzo, his agents, officers, servants, employees, attorneys, representatives, and all persons in active

concert or participation with him, and each said person, directly or indirectly, who receives actual notice of this Final Judgment And Permanent Injunction, by personal service or otherwise, be and hereby are, permanently **ENJOINED** from knowingly, willfully, or recklessly, directly or indirectly, singly or in concert, in connection with the purchase or sale of any security, by the use of any means or instrumentality of interstate commerce or of the mails, or of any facility of any national securities exchange:

(1) employing any device, scheme, or artifice to defraud;

(2) making any untrue statements of material fact or omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or

(3) engaging in any act, practice or course of business which operates or would operate as fraud or deceit upon any person in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5, thereunder.

II. Penny Stock Bar

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Paul M. Gozzo be and the same is hereby permanently **ENJOINED** from participating in an offering of penny stocks, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. For the purposes of this Order, a penny stock is defined as any equity security that has a price less

than five dollars (\$5.00) except as provided in Rule 3A51-1 under the Exchange Act, 17 C.F.R. § 240.3A51-1.

III. Disgorgement And Civil Penalty

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff Securities And Exchange Commission does have and recover from Defendant Paul M. Gozzo the sum of \$402,678.00 representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest in the amount of \$35,110 for a total award of \$437,788. Liability for disgorgement and prejudgment interest shall be reduced by any amount of restitution that Defendant is ordered to pay in connection the parallel criminal proceeding, United States v. Gozzo, 09-30192-CR-GOLD. Defendant shall satisfy this obligation within ten (10) business days after the entry of the Order of Criminal Restitution in the parallel criminal proceeding or the entry of this Final Judgment, whichever shall come last.

Defendant shall make this payment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payments shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 Green Way, Mail Stop 0-3, Alexandria, Virginia, 22312, and shall be accompanied by a letter identifying Paul M. Gozzo as a Defendant in this action; setting forth the title and civil action number of this action and the name of this Court; it must also specify that payment is made pursuant to this Final Judgment. Defendant shall

pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

IV. Incorporation of the Consent Decree

IT IS FURTHER ORDERED AND ADJUDGED that the Consent (DE 3) be and the same is hereby incorporated herein with the same force and effect as if it were fully set forth in this Final Judgment. And Defendant shall comply with all of the undertakings and agreements set forth therein.

V. Retention of Jurisdiction

IT IS FURTHER ORDERED AND ADJUDGED that the Court shall retain Jurisdiction of the above-styled cause for the purposes of enforcing the terms of this Final Judgment And Permanent Injunction.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 17th day of April, 2009.



WILLIAM J. ZLOCH
United States District Judge

Copies furnished:

All Counsel of Record