

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JAMES R. COLLINS AND
ROBERT F. DIMEO,

Defendants.

Case No.: 1:21-cv-05040

Honorable LaShonda A. Hunt

**PLAINTIFF'S UNOPPOSED MOTION FOR ENTRY OF
JUDGMENT AGAINST DEFENDANT JAMES R. COLLINS**

Plaintiff, U.S. Securities and Exchange Commission (“SEC”) respectfully moves for the entry of judgement against Defendant James R. Collins (“Defendant Collins”). In support of this unopposed motion, the SEC states as follows:

1. Defendant Collins has pleaded guilty to criminal conduct relating to certain matters alleged in the complaint in this action. Specifically, in *United States v. Collins et al.*, 2-cr-232 (N.D. IL, Valderrama, F.), on November 21, 2023, Defendant Collins pleaded guilty to one count of violating 18 U.S.C. § 1341 in a criminal case pending before Judge Valderrama and solely for purposes of computing his sentence only, stipulated to committing an additional offense of bank fraud in violation of 18 U.S.C. § 1344. *See United States v. Collins et al.* 20-cr-232, Dkt. 180 (N.D. Ill, November 21, 2023). In connection with that plea, Defendant Collins admitted the facts set forth in his Plea Agreement that is appended to his Consent, which is attached hereto as Exhibit A.

2. The SEC’s staff and Defendant Collins have reached a bifurcated settlement resolving all non-monetary relief in this matter and have setup a framework, if these parties

cannot resolve the monetary claims, for the Court to resolve the SEC's monetary claims against Defendant Collins.

3. Defendant Collins has consented to the entry of judgment against him. *See* Exhibit A - Executed Copy of the Consent.

4. Attached hereto as Exhibit B is a proposed judgement as to Defendant Collins.

5. As to the non-monetary relief, Defendant Collins, has agreed to, among other things, permanent injunctions to not violate certain provisions of the federal securities laws and from serving as an officer or director of a public company. *Id.*, ¶¶ I-III.

6. As to the monetary relief, Defendant Collins has agreed that, among other things, upon the SEC's Motion the Court shall determine whether it is appropriate to order (if so, the amounts) disgorgement of ill-gotten gains, prejudgment interest, and/or a civil penalty pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. *Id.*, ¶ IV.

7. This motion is unopposed since Defendant Collins has consented to all of the relief requested by the SEC.

8. Lastly, the SEC believes the current stay in this matter should remain in place until both defendants have been sentenced in their respective criminal cases as. *See* ECF 54. Defendant Collins was very recently sentenced in the above referenced criminal proceeding. The other defendant in this matter, Defendant Robert F. DiMeo (who also pleaded guilty to related criminal conduct and the Court previously entered a bifurcated judgment against (*see* ECF 33)), has not yet been criminally sentenced. Until Defendant DiMeo is sentenced, we believe that a continued stay is appropriate (subject to the parties continuing to provide status updates to the

Court).¹ After Defendant DiMeo is sentenced, the SEC plans on moving the Court to lift the stay, confer with counsel for both Defendants whether a resolution (subject to Commission approval) can be reached on the remaining monetary remedies, and, if necessary, propose a schedule for the monetary remedies briefing. The SEC has conferred with counsel for Defendants Collins and DiMeo, and they do not oppose a continuation of the stay.

WHEREFORE, the SEC respectfully moves for the entry of judgment (Exhibit B) against Defendant Collins.

Respectfully submitted this 10th day of March 2025.

By: /s/ Christopher E. Martin

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¹ See also ECF 35.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 10, 2025, he filed the foregoing document with the district court's CM/ECF system, which will automatically cause a copy of the document to be sent to all counsel of record.

/s/ Christopher E. Martin