

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

DONALD G. BLAKSTAD, *et al.*,

Defendants.

C.A. No. 20-CV-163 (DLC)

**AMENDED FINAL JUDGMENT AS TO
DEFENDANT XACT HOLDINGS CORPORATION**

The Securities and Exchange Commission having filed a Complaint and Defendant Xact Holdings Corporation having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Amended Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Amended Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$750,000, representing certain profits gained as a result of the conduct alleged in the Complaint. Defendant's disgorgement obligation shall be satisfied pursuant to the terms of Section II below.

II.

In accordance with this Amended Final Judgment, to satisfy Xact Holdings Corporation's

obligation to pay total disgorgement of \$750,000, and this sum having been deposited into the Disputed Ownership Fund in the Court Registry Investment System, the Clerk is hereby ORDERED to issue payments from the Disputed Ownership Fund in the Court Registry Investment System to the individuals and entities identified below (the "Payees"), in the amounts specified, totaling \$750,000, plus any accrued interest:

- A. The David & Frances Schroedl Family Trust shall be sent \$300,481 (plus a pro rata share of the accrued interest, minus the cost, if any, of the transfer) to First Republic Bank (ABA 321081669) account [REDACTED] 8339;
- B. Donald Luneburg shall be mailed a check for \$240,385 (plus a pro rata share of the accrued interest, minus the cost of mailing) to Don Luneburg c/o FDR Services, [REDACTED], Hempstead, NY 11550;
- C. Constantine Buzunis shall be sent \$137,019 in two installments, comprising \$102,019.00 (plus a pro rata share of the accrued interest, minus the cost, if any, of the transfer) payable to Equity Trust Company (ABA 321171184) for the benefit of Constantine D. Buzunis account [REDACTED] 4078, and \$35,000 (plus a pro rata share of the accrued interest, minus the cost of mailing) payable to Constantine D. Buzunis mailed to [REDACTED], San Diego, California 92130; and
- D. Garo Minassian shall be mailed a check for \$72,115 (plus a pro rata share of the accrued interest, minus the cost of mailing) to [REDACTED], San Diego, California 92130.

The Payees are instructed to transmit to the Court their taxpayer and banking information in order to provide for their respective disbursements.

III.

Defendant acknowledges that the Court is not imposing permanent injunctions or a civil penalty or requiring payment of an additional \$775,000 of disgorgement and pre-judgment interest based on the fact that Defendant Donald G. Blakstad has disclaimed any interest or control over Defendant, which is now owned and controlled by the investors identified in Section II above.

IV.

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

V.

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

VI.

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

Dated: November 7, 2022



DENISE COTE
United States District Judge