



UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

JOSEPH C. LEWIS, et al.

Defendants

MEMO ENDORSED

Handwritten notes: 10/24/2024 The motion is GRANTED - The judgment has been signed. Please CLOSE Civil No. 1:23-cv-6438-CM This case after entry of judgment and removal of motion at Dkt #33 from the court's list of open motions.

CONSENT MOTION FOR ENTRY OF FINAL JUDGMENT AS TO DEFENDANT JOSEPH C. LEWIS

Plaintiff United States Securities and Exchange Commission (the "SEC" or the "Commission") respectfully submits this consent motion to enter final judgment according to the parties' settlement. In support of this motion, the Commission states the following:

- 1. On January 26, 2023, the Commission filed its Complaint (ECF No. 1) against Defendants Joseph C. Lewis, Carolyn W. Carter, Patrick J. O'Connor, Brian L. Waugh, and Jean J. O'Connor alleging insider trading violations of the federal securities laws.
2. On November 8, 2023, pursuant to a request by the U.S. Attorney's Office for the this District, this Court stayed this case (ECF No. 32) pending the conclusion of criminal action 23-CR-370 brought against, inter alia, Lewis, Patrick J. O'Connor, and Waugh in the Southern District of New York.
3. On January 24, 2024, Defendant Lewis pled guilty in the parallel criminal matter before The Honorable Judge Jessica Clarke.

4. Plaintiff SEC and Defendant Lewis have now agreed to resolve the pending civil matter.

5. The undersigned has confirmed with the U.S. Attorney's Office for this District that it does not oppose a limited lift of the previously entered stay in this case for the sole purpose of considering and entering the relief sought by this motion, and the attached Consent and Final Judgment. Consideration of these narrow issues does not implicate any of the concerns that were the bases for that office requesting a stay.

5. Attached as Exhibit 1 is the executed Consent of Defendant Joseph C. Lewis setting forth the terms of the parties' settlement agreement. Attached as Exhibit 2 is the proposed Final Judgment to which the parties have agreed.

6. As more fully set forth in Exhibit 2, the proposed Final Judgment would (a) permanently enjoin Mr. Lewis from violating Exchange Act Section 10(b) and Rule 10b-5 thereunder [15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5]; and (b) order Mr. Lewis to pay a civil penalty in the amount of \$1,636,645.11 under Exchange Act Section 21A [15 U.S.C. § 78u-1(a)(2)], pursuant to the schedule set forth in the proposed Final Judgment.

7. Hearing is waived on this consent motion.

The SEC respectfully requests that the Court enter the proposed Final Judgment attached hereto as Exhibit 2.

Dated: April 2, 2024

Respectfully submitted,

/s/ Timothy A. Work

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