

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

-against-

**MICHAEL J. STARKWEATHER and
ANDIAMO CORPORATION,**

Defendants.

19-CV-05528-LDH-CLP

DEFAULT JUDGMENT AS TO ANDIAMO CORPORATION

Plaintiff Securities and Exchange Commission (“Commission”) having filed a Complaint on September 30, 2019; Defendant Andiamo Corporation (“Andiamo”) having failed to appear, respond to the Complaint, or otherwise defend this action; the Clerk of the Court having issued a Certificate of Default as to Andiamo on January 24, 2020; the Court having considered the Commission’s motion for entry of a default judgment (the “Motion”) and all the pleadings and evidence submitted in support thereof; and the Court having determined that Andiamo is neither an infant nor an incompetent person and is not in the military service of the United States:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is GRANTED for the reasons set forth in the Commission’s papers supporting the Motion.

II.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Andiamo is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5

promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit 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
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Andiamo's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Andiamo or with anyone described in (a).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Andiamo shall pay a civil penalty in the amount of \$150,000 to the Securities and Exchange Commission pursuant to Exchange Act Section 21(d)(3) [15 U.S.C. § 78u(d)(3)]. Andiamo shall make this payment within 30 days after entry of this Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank

cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

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

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

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

The Commission may enforce the Court's Judgment for penalties by the use of all collection procedures authorized by law, including the Federal Debt Collection Procedures Act, **28 U.S.C. § 3001** *et seq.*, and moving for civil contempt for the violation of any Court orders issued in this action. Andiamo shall pay post-judgment interest on any amounts due after 30 days of the entry of this Judgment pursuant to **28 U.S.C. § 1961**.

IV.

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

Dated: November 30, 2021
Brooklyn, New York

s/ LDH

Hon. LaShann DeArcy Hall, U.S.D.J.