

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:12-cv-21656-JAL

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
v.)
)
RECYCLE TECH, INC., KEVIN SEPE,)
RONNY J. HALPERIN, RYAN)
GONZALEZ, OTC SOLUTIONS LLC,)
ANTHONY THOMPSON, PUDONG LLC,)
JAY FUNG, and DAVID REES)
)
Defendants,)
and)
)
CHARTER CONSULTING GROUP, INC.)
)
Relief Defendant.)
_____)

**AGREED MOTION TO AMEND JUDGMENT
AGAINST DEFENDANT RONNY J. HALPERIN**

Pursuant to Federal Rule of Civil Procedure 59(e), the Commission moves to amend the judgment entered against Defendant Ronny J. Halperin on May 4, 2012, and in support states as follows:

1. On May 3, 2012, the Commission moved for Entry of Judgment of Permanent Injunction and Other Relief against Halperin based on his consent. (D.E. # 5.) On May 4, 2012, the Court granted the motion and entered judgment against Halperin. (D.E. # 10.)

2. The proposed order included with the motion, however, contained a scrivener's error. (D.E. # 5-3). Specifically, page three of the proposed order contained the phrase "...Halperin is jointly and severally liable with Charter Consulting Group, Inc. for disgorgement..." (*Id.*, at 3.)

Halperin's consent does not contain a provision for joint and several liability for the disgorgement, prejudgment interest, or civil penalty amounts. (D.E. # 5-2.) Accordingly, the phrase describing joint and several liability with Charter Consulting should not be in the judgment. The phrase was erroneously included in the proposed judgment.

3. Therefore, the undersigned hereby moves to amend the judgment against Halperin for the sole purpose of deleting that phrase. A proposed revised judgment is attached to this motion.

4. The undersigned has conferred with Richard Brodsky, counsel for Halperin, who does not oppose the motion.

WHEREFORE, for the foregoing reasons, the Commission respectfully requests the Court amend the final judgment against Defendant Ronny J. Halperin. A proposed order is attached to this motion.

CERTIFICATION OF COMPLIANCE WITH RULE 7.1

Pursuant to Local Rule 7.1(a)(3)(A), I hereby certify that I have conferred with all parties or non-parties who may be affected by the relief sought in this motion in a good faith effort to resolve the issues. Specifically, Richard Brodsky, counsel for Defendant Ronny J. Halperin, indicates that he does not oppose this motion and agrees with the relief sought herein.

Respectfully submitted,

May 10, 2012

By: /s James M. Carlson
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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2011, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel for records or *pro se* parties via the methods of service described below.

s/ James M. Carlson

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