

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

JOSEPH SIMONE, ET AL. (ANDREA LANDO-TANICO and
ANTHONY TANICO),

Defendants.

1:07-cv-3928 (JG)(RML)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ MAR 11 2015 ★

BROOKLYN OFFICE

ORDER MODIFYING JUDGMENT ON CONSENT

WHEREAS, on August 23, 2013, the Court entered a Judgment in this action in favor of the plaintiff Securities and Exchange Commission (the "Commission") and against the defendants Andrea Lando-Tanico and Anthony Tanico (collectively the "Tanicos") (Dkt. No. 133), ordering the payment of disgorgement in the sum of \$543,497.00 (the "Judgment"); and

WHEREAS, the Tanicos have offered to pay, and the Commission has agreed to accept, the amount of \$100,000 in full and complete satisfaction of the Judgment, payment to be made from the proceeds of the sale of their property located at 171 Shinnecock Drive, Manalapan, New Jersey, as is set forth in the Compromise Agreement dated February 23, 2015, and attached to this Order as Exhibit A and incorporated herein by reference; and

WHEREAS, the Commission has registered the Judgment in the United States District Court for the District of New Jersey, *Securities and Exchange Commission v. Anthony Tanico, et al.*, 3:13-mc-18 (MAS) (D.N.J.), and such registered judgment is a lien on the Tanicos' real property; and

WHEREAS, modifying the Judgment to reflect the amount due pursuant to the compromise agreement between the Commission and the Tanicos will expedite the sale of such real property,

NOW, THEREFORE, upon the consent of the Commission and the Tanicos, it is hereby

ORDERED, that the Judgment is hereby modified, as set forth in the Compromise Agreement, to provide that upon the payment of \$100,000 by the Tanicos to the Commission the Judgment shall be fully paid and satisfied; and it is further

ORDERED, that the Commission shall file a copy of this Order with the Clerk of the United States District Court for the District of New Jersey in *Securities and Exchange Commission v. Anthony Tanico, et al.*, 3:13-mc-18 (MAS) (D.N.J.); and it is further

ORDERED, that the Tanicos shall in good faith seek to effectuate the sale of their real property located at 171 Shinnecock Drive, Manalapan, New Jersey, as contemplated by the Compromise Agreement, within a reasonable time; and it is further

ORDERED, that this Court shall retain jurisdiction in the event of a dispute between the Commission and the Tanicos concerning the Compromise Agreement; and it is further

ORDERED, that upon receipt of the \$100,000 payment from the Tanicos the Commission shall file with the Clerk of this Court and with the Clerk of the United States District Court for the District of New Jersey a full satisfaction of the Judgment.

Dated: Brooklyn, New York
March 11, 2015

s/John Gleeson

UNITED STATES DISTRICT JUDGE