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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION**

12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 HYUN SOO JANG a/k/a KEVIN JANG;
17 KANGSAN KIM a/k/a BLAINE KIM;
18 UNUS CAPITAL MANAGEMENT,
CORP.,

19 Defendants

Case No.: CV 06-06775 CAS (AWJx)

FINAL JUDGMENT ORDERING A PERMANENT
INJUNCTION, DISGORGEMENT,
PREJUDGMENT INTEREST, CIVIL PENALTY
AND OTHER RELIEF AGAINST DEFENDANTS
HYUN SOO JANG; KANGSAN KIM; PEOPLEN
INVESTMENT, CORP.; AND UNUS CAPITAL
MANAGEMENT, INC.

20 The motion of Plaintiff, Securities and Exchange Commission
21 (“Commission”), pursuant to Rule 55 of the Federal Rules of Civil Procedure and
22 Local Rules 55-1 and 55-2, for a Final Judgment of Default against Defendants
23 Hyun Soo Jang (“Jang”), Kangsan Kim (“Kim”), PeopleN Investment, Corp.
24 (“PeopleN”), and Unus Capital Management, Inc. (“Unus”) came before this Court
25 for hearing on May 12, 2008. The Court, having considered the Commission’s
26 motion, the memoranda of points of authorities, the declarations including exhibits
27 relating thereto, and other documents filed in support of the application, and all
28 other evidence and argument presented regarding the motion, finds that:

1 I.

2 IT IS ORDERED, ADJUDGED, AND DECREED that the Commission's
3 motion for entry of a final judgment by default against Defendants Jang, Kim,
4 PeopleN, and Unus is hereby GRANTED.

5 II.

6 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
7 that Defendants Jang, Kim and PeopleN, and their agents, servants, employees,
8 attorneys, and all persons in active concert or participation with any of them who
9 receive actual notice of this Final Judgment by personal service or otherwise, and
10 each of them, are permanently restrained and enjoined from violating Section 17(a)
11 of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)] in the offer or
12 sale of any security by the use of any means or instruments of transportation or
13 communication in interstate commerce or by use of the mails, directly or
14 indirectly:

- 15 (a) to employ any device, scheme, or artifice to defraud;
- 16 (b) to obtain money or property by means of any untrue statement
17 of a material fact or any omission to state a material fact necessary in
18 order to make the statements made, in light of the circumstances under
19 which they were made, not misleading; or
- 20 (c) to engage in any transaction, practice, or course of business
21 which operates or would operate as a fraud or deceit upon the
22 purchaser.

23 III.

24 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
25 that Defendants Jang, Kim, PeopleN, and Unus, and their agents, servants,
26 employees, attorneys, and all persons in active concert or participation with any of
27 them who receive actual notice of this Final Judgment by personal service or
28 otherwise, and each of them, are permanently restrained and enjoined from

1 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
2 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated
3 thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of
4 interstate commerce, or of the mails, or of any facility of any national securities
5 exchange, in connection with the purchase or sale of any security:

6 (a) to employ any device, scheme, or artifice to defraud;

7 (b) to make any untrue statement of a material fact or to omit to
8 state a material fact necessary in order to make the statements made, in
9 the light of the circumstances under which they were made, not
10 misleading; or

11 (c) to engage in any act, practice, or course of business which
12 operates or would operate as a fraud or deceit upon any person.

13 IV.

14 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
15 that Defendants Jang, and PeopleN and their agents, servants, employees,
16 attorneys, and all persons in active concert or participation with any of them who
17 receive actual notice of this Final Judgment by personal service or otherwise, and
18 each of them, are permanently restrained and enjoined from making use of the
19 mails or any means or instrumentality of interstate commerce to effect any
20 transactions in, or to induce or attempt to induce the purchase or sale of, any
21 security, without being registered as a broker and/or dealer pursuant to Section
22 15(b) of the Exchange Act, 15 U.S.C. § 78o(b), in violation of Section 15(a) of the
23 Exchange Act [15 U.S.C. § 78o(a)].

24 V.

25 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
26 that Defendant Unus and its agents, servants, employees, attorneys, and all persons
27 in active concert or participation with any of them who receive actual notice of this
28 Final Judgment by personal service or otherwise, and each of them, are

1 permanently restrained and enjoined from violating Sections 206(1) and 206(2) of
2 the Investment Advisers Act of 1940 (“Advisers Act”) [15 U.S.C. §§ 80b-6(1) &
3 80b-6(2)] by use of the mails or any means or instrumentalities of interstate
4 commerce, directly or indirectly:

5 (a) to employ any device, scheme, or artifice to defraud any client
6 or prospective client; or

7 (b) to engage in transaction, practice, or course of business which
8 operates as a fraud or deceit upon client or prospective client.

9 VI.

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
11 that Defendants Jang and Kim and their agents, servants, employees, attorneys, and
12 all persons in active concert or participation with any of them who receive actual
13 notice of this Final Judgment by personal service or otherwise, and each of them,
14 are permanently restrained and enjoined from aiding and abetting violations of
15 Sections 206(1) and 206(2) of the Advisers Act [15 U.S.C. §§ 80b-6(1) & 80b-
16 6(2)] by use of the mails or means or instrumentalities of interstate commerce,
17 directly or indirectly:

18 (a) to employ any device, scheme, or artifice to defraud any client
19 or prospective client; or

20 (b) to engage in transactions, practices, or courses of business
21 which operated as a fraud or deceit upon clients or prospective clients.

22 VII.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
24 Defendants Jang and PeopleN shall be jointly and severally liable for disgorgement
25 of \$3,358,274.18, together with prejudgment interest thereon in the amount of
26 \$267,701.38, for a total of \$3,625,975.56.

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VIII.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Unus shall be liable for disgorgement of \$326,000, together with prejudgment interest thereon in the amount of \$25,986.76, for a total of \$351,986.76.

IX.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Jang shall pay a civil penalty in the amount of \$130,000.00 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)], Section 20(d)(3) of the Exchange Act [15 U.S. C. § 78u(d)(3)], and Section 209(e) of the Advisers Act [15 U.S.C. § 80b-9(e)].

X.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Jang, PeopleN, and Unus shall make the payments ordered above within ten (10) business days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Jang, PeopleN, and/or Unus as defendants in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made on behalf of Jang, PeopleN and/or Unus, pursuant to this Final Judgment. A copy of the letter and payment shall also be delivered or mailed to counsel for the Commission in this action at the Los Angeles Regional Office, located at 5670 Wilshire Blvd, 11th Floor, Los Angeles, California 90036, identifying the enforcement action as LA-3146 and providing the paying defendants' Social Security Number and/or Tax Identification Number. Defendants Jang, PeopleN,

1 and Unus shall pay post-judgment interest on any delinquent amounts pursuant to
2 28 U.S.C. § 1961. The Commission shall remit the funds paid pursuant to this
3 paragraph to the United States Treasury.

4 XI.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
6 Defendants Jang, PeopleN, and Unus shall receive a credit for all sums paid by
7 Defendant Kim as restitution in the criminal action entitled U.S.A. v. Kim,
8 06-cr-00625-ER-1, filed in United States District Court for the Central District of
9 California up to the extent of their disgorgement liability.

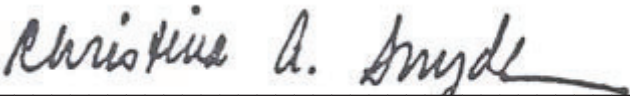
10 XII.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
12 Court shall retain jurisdiction of this matter for the purpose of enforcing the terms
13 of this Final Judgment.

14 XIII.

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

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19 Dated: May 12, 2008

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22 _____
23 THE HONORABLE CHRISTINA A. SNYDER
24 UNITED STATES DISTRICT JUDGE
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