

or of the mails to sell such security through the use or medium of any prospectus or otherwise;

- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; or
- (c) Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$409,590, representing profits gained [losses avoided] as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$88,361, for a total of \$497,951. Based on Defendant's sworn representations in his Statement of Financial Condition dated June 21, 2011, and other documents and information submitted to the Commission, however, the Court is not ordering Defendant to pay a civil penalty and payment of the disgorgement and pre-judgment interest thereon is waived. Defendant shall also pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The determination not to impose a civil penalty and to waive payment of the disgorgement and pre-judgment interest is contingent upon the accuracy and completeness of Defendant's Statement of Financial Condition. If at any time following the entry of this Final Judgment the Commission obtains information indicating that Defendant's representations to the Commission concerning his assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made, the Commission may, at its sole discretion and without prior notice to Defendant, petition the Court for an order requiring Defendant to pay the unpaid portion of the disgorgement, pre-judgment and post-judgment interest thereon, and the maximum civil penalty allowable under the law. In connection with any such petition, the only issue shall be whether the financial information provided by Defendant was fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made. In its petition, the Commission may move this Court to consider all available remedies, including, but not limited to, ordering Defendant to pay funds or assets,

directing the forfeiture of any assets, or sanctions for contempt of this Final Judgment. The Commission may also request additional discovery. Defendant may not, by way of defense to such petition: (1) challenge the validity of the Consent or this Final Judgment; (2) contest the allegations in the Complaint filed by the Commission; (3) assert that payment of disgorgement, pre-judgment and post-judgment interest or a civil penalty should not be ordered; (4) contest the amount of disgorgement and pre-judgment and post-judgment interest; (5) contest the imposition of the maximum civil penalty allowable under the law; or (6) assert any defense to liability or remedy, including, but not limited to, any statute of limitations defense.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the undertakings and agreements set forth therein.

V.

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

VI.

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

Dated: September 1, 2011


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____X	
SECURITIES AND EXCHANGE COMMISSION,	:
	:
Plaintiff,	:
	: 11-CV-1321 (WHP)
v.	:
	:
ADVANCED OPTICS ELECTRONICS, INC.;	:
LESLIE S. ROBINS; JASON CLAFFEY;	: CONSENT OF DEFENDANT
and JDC SWAN, INC.,	: LESLIE S. ROBINS
	:
Defendants.	:
_____X	

1. Defendant Leslie S. Robins ("Defendant") acknowledges having been served with the complaint in this action, enters a general appearance, and admits the Court's jurisdiction over Defendant and over the subject matter of this action.

2. Without admitting or denying the allegations of the complaint (except as to personal and subject matter jurisdiction, which Defendant admits), Defendant hereby consents to the entry of the final Judgment in the form attached hereto (the "Final Judgment") and incorporated by reference herein, which, among other things:

- (a) permanently restrains and enjoins Defendant from violation of Sections 5(a) and (c) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. §§ 77e(a) and (c)]; and
- (b) prohibits Defendant permanently from participating in an offering of penny stock, pursuant to Section 20(g) of the Securities Act [15 U.S.C. § 77t(g)].

3. Defendant acknowledges that the Court is not imposing a civil penalty or requiring payment of \$409,590 of disgorgement and \$88,361 in pre-judgment interest based on Defendant's sworn representations in Defendant's Statement of Financial Condition dated June 21, 2011, and other documents and information submitted to the Commission. Defendant further consents that if at any time following the entry of the Final Judgment the Commission obtains information indicating that Defendant's representations to the Commission concerning Defendant's assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made, the Commission may, at its sole discretion and without prior notice to Defendant, petition the Court for an order requiring Defendant to pay the unpaid portion of the disgorgement, pre-judgment and post-judgment interest thereon, and the maximum civil penalty allowable under the law. In connection with any such petition, the only issue shall be whether the financial information provided by Defendant was fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such representations were made. In any such petition, the Commission may move the Court to consider all available remedies, including but not limited to ordering Defendant to pay funds or assets, directing the forfeiture of any assets, or sanctions for contempt of the Court's Final Judgment. The Commission may also request additional discovery. Defendant may not, by way of defense to such petition: (1) challenge the validity of this Consent or the Final Judgment; (2) contest the allegations in the complaint; (3) assert that payment of disgorgement, pre-judgment or post-judgment interest, or a civil penalty should not be ordered; (4) contest the amount of disgorgement or pre-judgment or post-judgment interest; (5) contest the imposition of the maximum civil penalty allowable under the law; or (6) assert any defense to liability or remedy, including but not limited to any statute of limitations defense.

4. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

5. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Final Judgment.

6. Defendant enters into this Consent voluntarily and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Defendant to enter into this Consent.

7. Defendant agrees that this Consent shall be incorporated into the Final Judgment with the same force and effect as if fully set forth therein.

8. Defendant will not oppose the enforcement of the Final Judgment on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.

9. Defendant waives service of the Final Judgment and agrees that entry of the Final Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions. Defendant further agrees to provide counsel for the Commission, within thirty days after the Final Judgment is filed with the Clerk of the Court, with an affidavit or declaration stating that Defendant has received and read a copy of the Final Judgment.

10. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted against Defendant in this civil proceeding. Defendant acknowledges that no promise or representation has been made by the Commission or any member, officer, employee, agent, or representative of the Commission with regard to any criminal liability that may have arisen or may arise from the facts underlying this action or immunity from any such criminal liability.

Defendant waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein. Defendant further acknowledges that the Court's entry of a permanent injunction may have collateral consequences under federal or state law and the rules and regulations of self-regulatory organizations, licensing boards, and other regulatory organizations. Such collateral consequences include, but are not limited to, a statutory disqualification with respect to membership or participation in, or association with a member of, a self-regulatory organization. This statutory disqualification has consequences that are separate from any sanction imposed in an administrative proceeding. In addition, in any disciplinary proceeding before the Commission based on the entry of the injunction in this action, Defendant understands that he shall not be permitted to contest the factual allegations of the complaint in this action.

11. Defendant understands and agrees to comply with the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings." 17 C.F.R. § 202.5. In compliance with this policy, Defendant agrees: (i) not to take any action or to make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; and (ii) that upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint. If Defendant breaches this agreement, the Commission may petition the Court to vacate the Final Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant's: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.



12. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.


13. In connection with this action and any related judicial or administrative proceeding or investigation commenced by the Commission or to which the Commission is a party, Defendant (i) agrees to appear and be interviewed by Commission staff at such times and places as the staff requests upon reasonable notice; (ii) will accept service by mail or facsimile transmission of notices or subpoenas issued by the Commission for documents or testimony at depositions, hearings, or trials, or in connection with any related investigation by Commission staff; (iii) appoints Defendant's undersigned attorney as agent to receive service of such notices and subpoenas; (iv) with respect to such notices and subpoenas, waives the territorial limits on service contained in Rule 45 of the Federal Rules of Civil Procedure and any applicable local rules, provided that the party requesting the testimony reimburses Defendant's travel, lodging, and subsistence expenses at the then-prevailing U.S. Government per diem rates; and (v) consents to personal jurisdiction over Defendant in any United States District Court for purposes of enforcing any such subpoena.

14. Defendant agrees that the Commission may present the Final Judgment to the Court for signature and entry without further notice.

15. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Final Judgment.

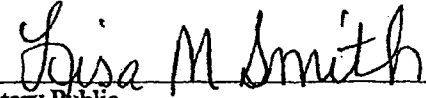
*Alvin Robins as Power of Attorney
for Leslie S. Robins*

Dated: 7-13-11



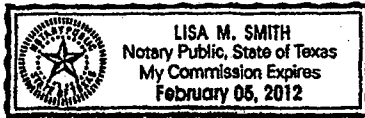
Leslie S. Robins

On July 13, 2011, Alvin Robins, a person known to me, personally appeared before me and acknowledged executing the foregoing Consent.



Notary Public

Commission expires:



ECF

#10-10870-C

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-01321-WHP**

Securities and Exchange Commission v. Advanced Optics
Electronis, Inc. et al
Assigned to: Judge William H. Pauley, III
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 02/25/2011
Jury Demand: None
Nature of Suit: 850
Securities/Commodities
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Securities and Exchange Commission

represented by **Suzanne Romajas**
U.S. Securities and Exchange
Commission (DC)
100 F Street, N.E.
Washington, DC 20549
202-551-4421
Email: RomajasS@sec.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Irving Dodge
Securities & Exchange Commission
100 F Street, Ne
Washington, DC 20549
(202)-551-4421
Fax: (202)-772-9286
Email: dodger@sec.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Advanced Optics Electronis, Inc.
TERMINATED: 09/01/2011

Defendant

Leslie S. Robins
TERMINATED: 09/01/2011

Defendant

Jason Claffey

Defendant

JDC Swan, Inc.

Date Filed	#	Docket Text
02/25/2011	<u>1</u>	COMPLAINT against Advanced Optics Electronis, Inc., Jason Claffey, JDC Swan, Inc., Leslie S. Robins. Document filed by Securities and Exchange Commission.(ama) (Entered: 02/28/2011)
02/25/2011		SUMMONS ISSUED as to Advanced Optics Electronis, Inc., Jason Claffey, JDC Swan, Inc., Leslie S. Robins. (ama) (Entered: 02/28/2011)
02/25/2011		Magistrate Judge James L. Cott is so designated. (ama) (Entered: 02/28/2011)
02/25/2011		Case Designated ECF. (ama) (Entered: 02/28/2011)
03/10/2011	<u>2</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 5/20/2011 at 02:30 PM in Courtroom 11D, 500 Pearl Street, New York, NY 10007 before Judge William H. Pauley III. (Signed by Judge William H. Pauley, III on 3/9/11) Copy mailed by Chambers(cd) (Entered: 03/10/2011)
04/06/2011	<u>3</u>	MOTION for Robert I. Dodge to Appear Pro Hac Vice. Document filed by Securities and Exchange Commission.(tro) (Entered: 04/08/2011)
04/14/2011	<u>4</u>	ORDER granting <u>3</u> Motion for Robert I. Dodge to Appear Pro Hac Vice for Securities and Exchange Commission. (Signed by Judge William H. Pauley, III on 4/14/2011) (jmi) (Entered: 04/15/2011)
05/09/2011	<u>5</u>	JOINT MOTION Adjourn Status Conference. Document filed by Securities and Exchange Commission.(Dodge, Robert) (Entered: 05/09/2011)
05/09/2011	<u>6</u>	STATUS REPORT. Document filed by Securities and Exchange Commission. (Dodge, Robert) (Entered: 05/09/2011)
05/20/2011	<u>7</u>	SCHEDULING ORDER: The SEC and Robins shall submit a proposed final judgment by 6/30/11 and the SEC shall serve Defendants Jason Claffey and JDC Swan by 6/30/11 or risk dismissal of the claims against those Defendants. (Signed by Judge William H. Pauley, III on 5/20/11) Copies mailed by Chambers(cd) (Entered: 05/23/2011)
05/20/2011		Set/Reset Deadlines: Service due by 6/30/2011. (cd) (Entered: 05/23/2011)
06/07/2011	<u>8</u>	ORDER: The Clerk of the Court is directed to terminate the motion pending at Docket No. 5. (Signed by Judge William H. Pauley, III on 6/7/2011) (jfe) (Entered: 06/08/2011)
06/29/2011	<u>9</u>	AFFIDAVIT OF SERVICE. Jason Claffey served on 6/23/2011, answer due 7/14/2011. Service was accepted by Jason Claffey. Document filed by Securities and Exchange Commission. (Dodge, Robert) (Entered: 06/29/2011)
06/29/2011	<u>10</u>	AFFIDAVIT OF SERVICE. JDC Swan, Inc. served on 6/23/2011, answer due 7/14/2011. Service was accepted by Jason Claffey, principal. Document filed by Securities and Exchange Commission. (Dodge, Robert) (Entered: 06/29/2011)
06/30/2011	<u>11</u>	FIRST MOTION for Extension of Time to File <i>Proposed Final Judgment</i> .

		Document filed by Securities and Exchange Commission.(Dodge, Robert) (Entered: 06/30/2011)
07/12/2011	<u>12</u>	ORDER EXTENDING DEADLINE TO FILE PROPOSED FINAL JUDGMENT the motion is GRANTED and the parties shall file the proposed final judgment on or before 7/29/11. (Signed by Judge William H. Pauley, III on 7/8/11) (cd) (Entered: 07/13/2011)
07/28/2011	<u>13</u>	SECOND MOTION for Extension of Time <i>to file proposed final judgments</i> . Document filed by Securities and Exchange Commission.(Dodge, Robert) (Entered: 07/28/2011)
08/04/2011	<u>14</u>	ORDER EXTENDING DEADLINE TO FILE PROPOSED FINAL JUDGMENT granting <u>13</u> Motion for Extension of Time. It is hereby ORDERED that the motion is GRANTED. The parties shall file the proposed final judgment on or before 8/19/2011. (Signed by Judge William H. Pauley, III on 8/3/2011) (tro) (Entered: 08/04/2011)
09/01/2011	<u>15</u>	FINAL JUDGMENT in favor of Securities and Exchange Commission against Advanced Optics Electronis, Inc.. (Signed by Judge William H. Pauley, III on 9/1/11) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 09/02/2011)
09/01/2011	<u>16</u>	FINAL JUDGMENT #11,1688 in favor of Securities and Exchange Commission against Leslie S. Robins in the amount of \$ 497,951.00. (Signed by Judge William H. Pauley, III on 9/1/11) (Attachments: # <u>1</u> NOTICE OF RIGHT TO APPEAL)(ml) (Entered: 09/02/2011)
09/12/2011	<u>17</u>	ENDORSED LETTER: addressed to Judge William H. Pauley from Robert I. Dodge dated 9/6/2011 re: On behalf of the Plaintiff Securities and Exchange Commission ("SEC"), I write to advise the Court that the SEC intends to file a motion for a consent judgment in the above-captioned action with respect to the two remaining defendants, Jason Claffey and JDC Swan, Inc. Jason Claffey is an individual who resides in Deerfield Beach, Florida. He was served with a summons and copy of the complaint in this action on June 23, 2011. Service was made upon Mr. Claffey in person at his home. JDC Swan, Inc., is a Florida corporation wholly owned by Mr. Claffey. JDC Swan, Inc., was also served on June 23, 2011, by personal delivery of a summons and copy of the complaint to Mr. Claffey. Neither Mr. Claffey nor JDC Swan, Inc., has entered an appearance or filed a response to the SEC's complaint.. ENDORSEMENT: A pre-motion conference is not required. Plaintiff shall serve and file its motion for Default judgment by October 3, 2011. Defendants shall serve and file any opposition by October 31, 2011. This Court will take the motion on submission. So Ordered. (Motions due by 10/3/2011. Responses due by 10/31/2011 Replies due by 11/9/2011.) (Signed by Judge William H. Pauley, III on 9/9/11) (js) (Entered: 09/12/2011)

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