

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MICHAEL ANTHONY GONZALEZ,

Defendant.

Case No. CV12-03319 FMO (PLAx)

**FINAL JUDGMENT OF
PERMANENT INJUNCTION
AGAINST DEFENDANT MICHAEL
ANTHONY GONZALEZ**

The Securities and Exchange Commission having filed a Complaint and Defendant Michael Anthony Gonzalez having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment, waived findings of fact and conclusions of law; waived any right to appeal from this Final Judgment; and Defendant having been ordered to pay restitution in the amount of \$1,726,970.73 in the criminal action entitled *U.S. v. Michael Anthony Gonzalez*, Case No. CR 12-00859-MMM (C.D. Cal.) to the investors defrauded in this action:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant’s agents, servants, employees, attorneys, and all persons in active

1 concert or participation with them who receive actual notice of this Final Judgment
2 by personal service or otherwise are permanently restrained and enjoined from
3 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
4 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated
5 thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of
6 interstate commerce, or of the mails, or of any facility of any national securities
7 exchange, in connection with the purchase or sale of any security:

- 8 (a) to employ any device, scheme, or artifice to defraud;
- 9 (b) to make any untrue statement of a material fact or to omit to state a
10 material fact necessary in order to make the statements made, in the
11 light of the circumstances under which they were made, not
12 misleading; or
- 13 (c) to engage in any act, practice, or course of business which operates or
14 would operate as a fraud or deceit upon any person.

15 **II.**

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
17 Defendant and Defendant’s agents, servants, employees, attorneys, and all persons
18 in active concert or participation with them who receive actual notice of this Final
19 Judgment by personal service or otherwise are permanently restrained and enjoined
20 from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”),
21 15 U.S.C. § 77q(a), in the offer or sale of any security by the use of any means or
22 instruments of transportation or communication in interstate commerce or by use
23 of the mails, directly or indirectly:

- 24 (a) to employ any device, scheme, or artifice to defraud;
- 25 (b) to obtain money or property by means of any untrue statement of a
26 material fact or any omission of a material fact necessary in order to
27 make the statements made, in light of the circumstances under which
28 they were made, not misleading; or

1 (c) to engage in any transaction, practice, or course of business which
2 operates or would operate as a fraud or deceit upon the purchaser.

3 **III.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
5 Defendant and Defendant's agents, servants, employees, attorneys, and all persons
6 in active concert or participation with them who receive actual notice of this Final
7 Judgment by personal service or otherwise are permanently restrained and enjoined
8 from violating Section 15(a) of the Exchange Act, 15 U.S.C. § 78o(a) by making
9 use of the mails or any means or instrumentality of interstate commerce to effect
10 any transactions in, or to induce or attempt to induce the purchase or sale of, any
11 security, unless registered as a broker or dealer in accordance with Section 15(b) of
12 the Exchange Act, 15 U.S.C. § 78o(b).

13 **IV.**

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in light
15 of the restitution order against Defendant in *U.S. v. Gonzalez*, Case No. CR 12-
16 00859-MMM (C.D. Cal.), the Court is not ordering the Defendant to pay
17 disgorgement or a civil penalty herein.

18 **V.**

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

23 **VI.**

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

27 **VII.**

28 There being no just reason for delay, pursuant to Rule 54(b) of the Federal

1 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment
2 forthwith and without further notice.

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4 DATED: November 13, 2013

_____/s/_____
HONORABLE FERNANDO M. OLGUIN
UNITED STATES DISTRICT JUDGE

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