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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

DANIEL J. LAMA,

Defendant.

Case No. ED CV14-00996 JAK (JEMx)

**FINAL JUDGMENT AS TO
DEFENDANT DANIEL J. LAMA**

JS-6

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Daniel J. Lama, MD (“Defendant”) having entered a general appearance;
3 consented to the Court’s jurisdiction over Defendant and the subject matter of this
4 action; consented to entry of this Final Judgment without admitting or denying the
5 allegations of the Complaint (except as to jurisdiction); waived findings of fact and
6 conclusions of law; and waived any right to appeal from this Final Judgment:

7 **I.**

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
9 and Defendant’s agents, servants, employees, attorneys, and all persons in active
10 concert or participation with them who receive actual notice of this Final Judgment
11 by personal service or otherwise are permanently restrained and enjoined from
12 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934
13 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder
14 [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate
15 commerce, or of the mails, or of any facility of any national securities exchange, in
16 connection with the purchase or sale of any security:

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

23 **II.**

24 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
25 Defendant and Defendant’s agents, servants, employees, attorneys, and all persons in
26 active concert or participation with them who receive actual notice of this Final
27 Judgment by personal service or otherwise are permanently restrained and enjoined
28 from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15

1 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or
2 instruments of transportation or communication in interstate commerce or by use of
3 the mails, directly or indirectly:

- 4 (a) to employ any device, scheme, or artifice to defraud;
- 5 (b) to obtain money or property by means of any untrue statement of a
6 material fact or any omission of a material fact necessary in order to
7 make the statements made, in light of the circumstances under which
8 they were made, not misleading; or
- 9 (c) to engage in any transaction, practice, or course of business which
10 operates or would operate as a fraud or deceit upon the purchaser.

11 **III.**

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
13 is liable for disgorgement of \$11,502, representing profits gained as a result of the
14 conduct alleged in the Complaint, together with prejudgment interest thereon in the
15 amount of \$680, and a civil penalty in the amount of \$34,506 pursuant to Section
16 21A of the Exchange Act [15 U.S.C. § 78u-1]. Defendant shall satisfy this obligation
17 by paying \$46,688 to the Securities and Exchange Commission within 14 days after
18 entry of this Final Judgment.

19 Defendant may transmit payment electronically to the Commission, which will
20 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also
21 be made directly from a bank account via Pay.gov through the SEC website at
22 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified
23 check, bank cashier's check, or United States postal money order payable to the
24 Securities and Exchange Commission, which shall be delivered or mailed to

25 Enterprise Services Center
26 Accounts Receivable Branch
27 6500 South MacArthur Boulevard
28 Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number,

1 and name of this Court; Dr. Daniel J. Lama as a defendant in this action; and
2 specifying that payment is made pursuant to this Final Judgment.

3 Defendant shall simultaneously transmit photocopies of evidence of payment
4 and case identifying information to the Commission's counsel in this action. By
5 making this payment, Defendant relinquishes all legal and equitable right, title, and
6 interest in such funds and no part of the funds shall be returned to Defendant. The
7 Commission shall send the funds paid pursuant to this Final Judgment to the United
8 States Treasury.

9 The Commission may enforce the Court's judgment for disgorgement and
10 prejudgment interest by moving for civil contempt (and/or through other collection
11 procedures authorized by law) at any time after 14 days following entry of this Final
12 Judgment. Defendant shall pay post judgment interest on any delinquent amounts
13 pursuant to 28 U.S.C. § 1961.

14 **IV.**

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

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19 Dated: May 30, 2014



20 JOHN A. KRONSTADT
21 UNITED STATES DISTRICT JUDGE
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