

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**SECURITIES AND EXCHANGE  
COMMISSION,**

Plaintiff,

v.

**RONALD C. MONTANO, TRAVIS  
STEPHENSON, ANTONIO GIACCA and  
MICHAEL WRIGHT,**

Defendants.

Case No. 6:18-cv-01606-GAP-GJK

**FINAL JUDGMENT AS TO DEFENDANT MICHAEL WRIGHT**

Having granted the Plaintiff's Motion for Entry of Final Judgment against Defendant Michael Wright ("Wright") (Doc. 84),

**IT IS ORDERED** that:

I.

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

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

- (b) to make any untrue statement of a material fact, or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person

by, directly or indirectly, (1) creating a false appearance or otherwise deceiving any person or (2) disseminating false or misleading documents, statements, materials, video, graphics, media or other forms of information, or making or transmitting, either orally or in writing, any false or misleading communication to any investor or prospective investor, about:

- (i) any investment in, trading in, or offering of securities;
- (ii) the prospects for success of any product or company;
- (iii) the use of investor funds;
- (iv) the compensation received by issuers, brokers, or other parties in any offering or trading of securities; or
- (v) the registration status of such offering or of such securities.

## II.

Wright is permanently restrained and enjoined from violating, directly or indirectly, Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

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

- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser

by, directly or indirectly, (1) creating a false appearance or otherwise deceiving any person or (2) disseminating false or misleading documents, statements, materials, video, graphics, media or other forms of information, or making or transmitting, either orally or in writing, any false or misleading communication to any investor or prospective investor, about:

- (i) any investment in, trading in, or offering of securities;
- (ii) the prospects for success of any product or company;
- (iii) the use of investor funds;
- (iv) the compensation received by issuers, brokers, or other parties in any offering or trading of securities; or
- (v) the registration status of such offering or of such securities.

### III.

Pursuant to Section 21(d)(5) of the Exchange Act [15 U.S.C. § 78u(d)(5)], Wright is permanently restrained and enjoined from, directly or indirectly, including through any entity he may own or control, participating in the marketing, offering, purchasing or selling of securities over the Internet or via email or by other forms of electronic communication; provided, however, that such injunction shall not prohibit him from purchasing or selling securities for his personal investment or for investment by members of his immediate family.

### IV.

As provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraphs I, II and III also bind the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) any of Wright's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Wright or with anyone described in (a).

V.

Wright is liable for disgorgement in the amount of \$266,353.73, representing profits gained by him as a result of the conduct alleged in the Complaint, inclusive of prejudgment interest thereon, and a civil penalty in the amount of \$266,353.73, for a total of \$532,707.46. Because the Commodity Futures Trading Commission in the case of *Commodity Futures Trading Commission v. Montano et al.*, Case No. 6:18-cv-01607-GAP-GJK ("CFTC Action") is seeking disgorgement from Wright for the same conduct at issue in this case, any disgorgement that Wright in fact pays to the CFTC pursuant to a final judgment in the CFTC Action shall result in an offset of Wright's disgorgement and prejudgment interest obligation in this case. Additionally, because the CFTC is seeking a penalty from Wright in the CFTC Action, Wright shall pay half his penalty obligation to the Commission—\$133,176.87—and the remaining \$133,176.86 to the CFTC.

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

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; “Michael Wright” as defendant; and specifying that payment is made pursuant to this Final Judgment. When making a payment on any disgorgement or penalty obligation imposed in this action or the CFTC Action, Wright shall simultaneously transmit to the Commission’s counsel in this case photocopies of evidence of his payment to the Commission or the CFTC.

By making payments, Wright relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant. Payments shall be deemed made on the date they are received by the Commission and shall be applied first to post judgment interest, which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after thirty (30) days of the entry of Final Judgment. The Commission shall hold the funds (collectively, the “Fund”) and may propose a plan to distribute the Fund subject to the Court’s approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the Commission staff determines that the Fund will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The Commission may enforce this Final Judgment as authorized by law at any time following the failure to timely satisfy this Final Judgment.

## VI.

Wright’s Consent to this Judgment is incorporated with the same force and effect as if fully set forth herein, and that this Defendant shall comply with all of the undertakings and agreements set forth therein.

VII.

Solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. § 523, the allegations in the complaint are true and admitted by Wright, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by this Defendant under this Final Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violations by the Defendant of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

VIII.

This Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

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.

**DONE and ORDERED** in Chambers in Orlando, Florida on August 15, 2019.



  
GREGORY A. PRESNELL  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties