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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MOHAMMED A. BARI,

Defendant.

Case No.: 21-CV-999 JLS (MDD)

**FINAL JUDGMENT AS TO
DEFENDANT MOHAMMED A.
BARI**

Plaintiff Securities and Exchange Commission (the “Securities and Exchange Commission,” the “Commission,” or the “SEC”) having filed a Complaint and Defendant Mohammed A. Bari (“Defendant”) 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 without admitting or denying the allegations of the Complaint (except as to jurisdiction and except as otherwise provided herein in paragraph IV); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I. IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant 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.

1 § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any
2 means or instrumentality of interstate commerce, or of the mails, or of any facility of any
3 national securities exchange, in connection with the purchase or sale of any security:

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

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

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

10 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, as provided
11 in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the
12 following who receive actual notice of this Final Judgment by personal service or
13 otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b)
14 other persons in active concert or participation with Defendant or with anyone described
15 in (a).

16 **II. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that
17 Defendant shall pay a civil penalty in the amount of \$238,434.00 to the Securities and
18 Exchange Commission pursuant to Section 21A of the Exchange Act, 15 U.S.C. § 78u–
19 1(A)(1)(a). Defendant shall make this payment within 30 days after entry of this Final
20 Judgment.

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

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1 Enterprise Services Center
2 Accounts Receivable Branch
3 6500 South MacArthur Boulevard
4 Oklahoma City, OK 73169

5 and shall be accompanied by a letter identifying the case title, civil action number, and
6 name of this Court; Mohammed A. Bari as a defendant in this action; and specifying that
7 payment is made pursuant to this Final Judgment.

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

13 The Commission may enforce the Court's judgment for penalties by the use of all
14 collection procedures authorized by law, including the Federal Debt Collection Procedures
15 Act, 28 U.S.C. §§ 3001 *et seq.*, and moving for civil contempt for the violation of any Court
16 orders issued in this action. Defendant shall pay post-judgment interest on any amounts
17 due after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961.

18 **III. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the
19 Consent (ECF No. 2) is incorporated herein with the same force and effect as if fully set
20 forth herein, and that Defendant shall comply with all of the undertakings and agreements
21 set forth therein.

22 **IV. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, solely
23 for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
24 11 U.S.C. § 523, the allegations in the complaint are true and admitted by Defendant, and
25 further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts
26 due by Defendant under this Final Judgment or any other judgment, order, consent order,
27 decree or settlement agreement entered in connection with this proceeding, is a debt for the
28 violation by Defendant of the federal securities laws or any regulation or order issued under

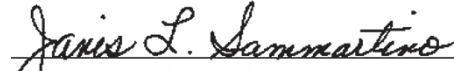
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1 such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C.
2 § 523(a)(19).

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

6 **IT IS SO ORDERED.**

7 Dated: May 27, 2021


8 Hon. Janis L. Sammartino
9 United States District Judge

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