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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

RUBEN JAMES ROJAS,

Defendant.

Case No. 5:19-cv-01799-FLA (SHKx)

**AMENDED FINAL JUDGMENT AS
TO DEFENDANT RUBEN JAMES
ROJAS [DKT. 81]**

1 On September 19, 2019, Plaintiff the Securities and Exchange Commission
2 (“Plaintiff” or the “Commission”) filed a Complaint in the action. Dkt. 1. On
3 October 27, 2022, Defendant Ruben James Rojas (“Defendant” or “Rojas”), having
4 entered a general appearance and consented to the court’s jurisdiction over Defendant
5 and the subject matter of this action, consented to entry of this Final Judgment,
6 waived findings of fact and conclusions of law, waived any right to appeal from this
7 Final Judgment, admitted the facts set forth in the Consent of Defendant Ruben James
8 Rojas (“the Consent”), and acknowledged that his conduct violated the federal
9 securities laws. Dkt. 79.

10 Accordingly:

11 I.

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
13 permanently restrained and enjoined from violating Section 17(a)(3) of the Securities
14 Act of 1933 (the “Securities Act”), 15 U.S.C. § 77q(a)(3), in the offer or sale of any
15 security by the use of any means or instruments of transportation or communication in
16 interstate commerce or by use of the mails, directly or indirectly to engage in any
17 transaction, practice, or course of business which operates or would operate as a fraud
18 or deceit upon the purchaser.

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

25 II.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that pursuant
27 to Section 21(d)(5) of the Securities Exchange Act of 1934 (the “Exchange Act”),
28 15 U.S.C. § 78u(d)(5), Defendant is (a) permanently restrained and enjoined from

1 directly, or indirectly, (i) participating in any issuance, purchase, offer, or sale of
2 municipal securities, as defined in Section 3(a)(29) of the Exchange Act, 15 U.S.C.
3 § 78c(a)(29), including but not limited to engaging or communicating with a broker,
4 dealer, municipal securities dealer, municipal advisor, bond insurer, nationally
5 recognized statistical rating organization, investor, issuer or obligated person for
6 purposes of issuing, purchasing, offering, or selling any municipal security; and (ii)
7 participating in the preparation of any materials or information, which Defendant
8 should reasonably expect to be submitted to the Municipal Securities Rulemaking
9 Board's Electronic Municipal Market Access system in connection with an offering
10 or a continuing disclosure obligation, or which Defendant should reasonably expect
11 to be provided to investors in connection with any offering (including a private
12 placement) of municipal securities, provided however, that such injunction shall not
13 prevent Defendant from purchasing or selling municipal securities for his own
14 personal account; and (b) ordered to provide a copy of the Final Judgment by email
15 or mail within 10 days of the entry of the Final Judgment to any issuer of municipal
16 securities or obligated person with which Defendant is employed as of the date of
17 the entry of the Final Judgment.

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

24 III.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
26 shall pay a civil penalty in the amount of \$50,000 to the Securities and Exchange
27 Commission pursuant to Section 20(d)(1) of the Securities Act, 15 U.S.C. § 77u(d)(3).
28

1 Defendant shall make this payment pursuant to the terms of the payment schedule set
2 forth in paragraph IV below after entry of this Final Judgment.

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

9 Enterprise Services Center
10 Accounts Receivable Branch
11 6500 South MacArthur Boulevard
12 Oklahoma City, OK 73169

13 and shall be accompanied by a letter identifying the case title, civil action number, and
14 name of this court; Ruben James Rojas as a defendant in this action; and specifying
15 that payment is made pursuant to this Final Judgment.

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

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

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1 IV.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Ruben
3 James Rojas shall pay the total penalty due of \$50,000 to the Commission according
4 to the following schedule: (1) \$10,000 within ten (10) days of entry of this Final
5 Judgment; (2) the remaining \$40,000, together with post-judgment interest, within 365
6 days after entry of this Final Judgment. Payments shall be deemed made on the date
7 they are received by the Commission and shall be applied first to post-judgment
8 interest, which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after
9 30 days of the entry of Final Judgment. Prior to making the final payment set forth
10 herein, Ruben James Rojas shall contact the staff of the Commission for the amount
11 due for the final payment.

12 V.

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

17 VI.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, for
19 purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code,
20 11 U.S.C. § 523, the allegations in the complaint are true and admitted by Defendant,
21 and further, any debt for disgorgement, prejudgment interest, civil penalty or other
22 amounts due by Defendant under this Final Judgment or any other judgment, order,
23 consent order, decree or settlement agreement entered in connection with this
24 proceeding, is a debt for the violation by Defendant of the federal securities laws or
25 any regulation or order issued under such laws, as set forth in Section 523(a)(19) of
26 the Bankruptcy Code, 11 U.S.C. § 523(a)(19).

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VII.

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.

Dated: November 18, 2022



FERNANDO L. AENLLE-ROCHA
United States District Judge