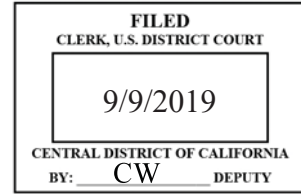


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
Western Division**

SECURITIES AND EXCHANGE
COMMISSION,

 Plaintiff,

 vs.

RALPH T. IANNELLI and ESSEX
CAPITAL CORPORATION,

 Defendants.

Case No. 2:18-cv-05008-FMO-AFM

**JUDGMENT AGAINST
DEFENDANT ESSEX CAPITAL
CORPORATION**

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

7 I.

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
9 permanently restrained and enjoined from violating, directly or indirectly, Section
10 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. §
11 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using
12 any means or instrumentality of interstate commerce, or of the mails, or of any
13 facility of any national securities exchange, in connection with the purchase or sale of
14 any security:

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

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
23 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
24 binds the following who receive actual notice of this Final Judgment by personal
25 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
26 attorneys; and (b) other persons in active concert or participation with Defendant or
27 with anyone described in (a).
28

1 II.

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
3 Defendant is permanently restrained and enjoined from violating Section 17(a) of the
4 Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale
5 of any security by the use of any means or instruments of transportation or
6 communication in interstate commerce or by use of the mails, directly or indirectly:

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

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

20 III.

21 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
22 upon motion of the Commission, the Court shall determine whether it is appropriate
23 to order disgorgement of ill-gotten gains and/or a civil penalty pursuant to Section
24 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange
25 Act [15 U.S.C. § 78u(d)(3)], and, if so, the amount(s) of the disgorgement and/or civil
26 penalty. If disgorgement is ordered, Defendant shall pay prejudgment interest
27 thereon, calculated from March 1, 2017, based on the rate of interest used by the
28 Internal Revenue Service for the underpayment of federal income tax as set forth in

1 26 U.S.C. § 6621(a)(2). In connection with the Commission’s motion for
2 disgorgement and/or civil penalties, and at any hearing held on such a motion: (a)
3 Defendant will be precluded from arguing that it did not violate the federal securities
4 laws as alleged in the Complaint; (b) Defendant may not challenge the validity of the
5 Consent or this Final Judgment; (c) solely for the purposes of such motion, the
6 allegations of the Complaint shall be accepted as and deemed true by the Court; and
7 (d) the Court may determine the issues raised in the motion on the basis of affidavits,
8 declarations, excerpts of sworn deposition or investigative testimony, and
9 documentary evidence, without regard to the standards for summary judgment
10 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with
11 the Commission’s motion for disgorgement and/or civil penalties, the parties may
12 take discovery, including discovery from appropriate non-parties.

13 IV.

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

18 V.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
20 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
21 Judgment.

22
23 Dated: September 9, 2019

24
25 */s/*
26 _____
27 UNITED STATES DISTRICT JUDGE
28 FERNANDO M. OLGUIN