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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN JOSE DIVISION**

15 U.S. SECURITIES AND EXCHANGE
16 COMMISSION,

17 Plaintiff,

18 v.

19 NATHANIEL BROWN, BENJAMIN WYLAM,
20 NAVEEN SOOD, MARCUS BANNON,
21 MATTHEW RAUCH, and NARESH RAMAIYA,

22 Defendants.

23 **FINAL JUDGMENT AS TO**
24 **MARCUS BANNON**

25 The Securities and Exchange Commission having filed a Complaint and Defendant
26 Marcus Bannon (“Defendant”) having entered a general appearance; consented to the Court’s
27 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 (“Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 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.

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

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$281,497 to the Securities and Exchange Commission pursuant to Section 21A of the Exchange Act, 15 U.S.C. § 78u-1. Defendant shall make this payment within 30 days after entry of this Final Judgment.

Defendant 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>. Defendant may also pay by certified check, bank

1 Final Judgment or any other judgment, order, consent order, decree or settlement agreement
2 entered in connection with this proceeding, is a debt for the violation by Defendant of the federal
3 securities laws or any regulation or order issued under such laws, as set forth in Section
4 523(a)(19) of the Bankruptcy Code, 11 U.S.C. § 523(a)(19).

5 V.

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

8 VI.

9 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil
10 Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

11
12 Dated: June 25, 2021

13 
UNITED STATES DISTRICT JUDGE