

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

GORDON J. COBURN and
STEVEN E. SCHWARTZ,

Defendants.

2:19-CV-05820-MCA-MAH

JOINT STIPULATION TO DISMISS, AND RELEASES

Plaintiff Securities and Exchange Commission (the “Commission”) and Defendants Gordon J. Coburn and Steven E. Schwartz (collectively, the “Defendants”) respectfully submit this joint stipulation.

WHEREAS, the Commission filed its complaint in this civil enforcement action (the “Litigation”) on February 15, 2019.

WHEREAS, in the exercise of its discretion and as a policy matter, the Commission believes the dismissal of this case is appropriate.

WHEREAS, the Commission’s decision to seek dismissal of this Litigation does not necessarily reflect the Commission’s position on any other case.

WHEREAS, by this stipulation, the Commission and the Defendants agree to have this Litigation dismissed.

NOW, THEREFORE,

1. Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii), the Commission and the Defendants stipulate that this Litigation be dismissed with prejudice as to the conduct alleged in the

Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.

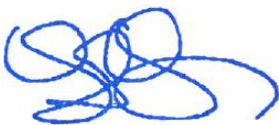
2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

- a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant[s] that in any way relate to the Litigation, including but not limited to investigative steps taken prior to commencing the Litigation.
- b. Any and all claims, demands, rights, and causes of action of every kind and nature, asserted or unasserted, against the Commission and its present and former officers or employees that arise from or in any way relate to the Litigation, including but not limited to investigative steps taken prior to commencing the Litigation.

3. Each of the undersigned represents that they have the authority to execute this stipulation on behalf of the party so indicated.

STIPULATED AND AGREED:

John J. Bowers
COUNSEL FOR PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION
Dated: _____, 2025



Lawrence S. Lustberg
Gibbons P.C. One Gateway Center
Newark, NJ 07102 (973) 596-4731
Counsel for Defendant Steven
Schwartz
Dated: May 9, 2025

James H. Keale
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Henry Klehm III
James P. Loonam
Jones Day
250 Vesey Street
New York, NY 10281-1047
Tel: (212) 326-3939
Counsel for Defendant Gordon
Coburn
Dated: _____, 2025

Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.

2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

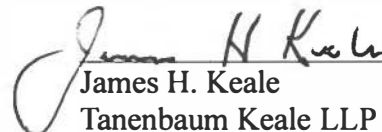
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COUNSEL FOR PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION
Dated: _____, 2025

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Tel: (212) 326-3939
Counsel for Defendant Gordon
Coburn
Dated: _____ May 14, 2025

Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.

2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

- a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant[s] that in any way relate to the Litigation, including but not limited to investigative steps taken prior to commencing the Litigation.
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STIPULATED AND AGREED:

/s/John J. Bowers

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Dated: _____, 2025

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