

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-cv-10589- DJC
)	
CUTTER FINANCIAL GROUP, LLC AND)	
JEFFREY CUTTER,)	
)	
Defendants.)	

~~PROPOSED~~ FINAL JUDGMENT

This matter comes before the Court following a jury trial on a civil enforcement action brought by Plaintiff Securities and Exchange Commission against Defendants Cutter Financial Group, LLC and Jeffrey Cutter. The jury found the Defendants not liable under Section 206(1) of the Investment Advisers Act of 1940 (“Advisers Act”), liable under Section 206(2) of the Advisers Act, and not liable under Section 206(4) of the Advisers Act and Rule 206(4)-7 thereunder.

Upon Motion For Injunctive Relief and Civil Penalty by Plaintiff Securities and Exchange Commission and the Court having considered the respective parties’ filings in this matter, oral argument, and the evidence at trial, the Court enters judgment as follows:

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that on Count 1 of the Amended Complaint, judgment is entered for Defendants Cutter Financial Group, LLC and Jeffrey Cutter and against Plaintiff Securities and Exchange Commission for claims under Section 206(1) of the Advisers Act.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that on Count 1 of the Amended Complaint, judgment is entered for Plaintiff Securities and Exchange Commission

and against Defendants Cutter Financial Group, LLC and Jeffrey Cutter for claims under Section 206(2) of the Advisers Act.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that on Count 2 of the Amended Complaint, judgment is entered for Defendants Cutter Financial Group, LLC and Jeffrey Cutter and against Plaintiff Securities and Exchange Commission for direct and aiding and abetting claims under Section 206(4) of the Advisers Act and Rule 206(4)-7 thereunder.

II.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants Cutter Financial Group, LLC and Jeffrey Cutter are, for a period of five (5) years from the entry of this Final Judgment, restrained and enjoined from violating Section 206(2) of the Advisers Act by, while acting as an investment adviser, by use of the mails or any means or instrumentalities of interstate commerce, directly or indirectly, engage in any transaction, practice, or course of business which operates as a fraud or deceit upon any client or prospective client.

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) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Cutter Financial Group, LLC and Jeffrey Cutter shall, for a period of five (5) years from the entry of this Final Judgment, provide every advisory client with a copy of the Judgment in this case and make contemporaneous record of same. For existing clients, Defendants shall provide a copy of

the Judgment within thirty (30) days of the entry of Judgment. For new clients, Defendants shall provide a copy of the Judgment within seven (7) days of engagement with either or both Defendants.

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) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

IV.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Cutter Financial Group, LLC is liable for a civil penalty in the amount of \$100,000 and Defendant Jeffrey Cutter is liable for a civil penalty in the amount of \$50,000 pursuant to Section 209(e) of the Advisers Act. Defendants Cutter Financial Group, LLC and Jeffrey Cutter shall satisfy this obligation by paying \$100,000 and \$50,000, respectively, to the Securities and Exchange Commission within 30 days after entry of this Final Judgment.

Defendants 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>. Defendants may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard

Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; the respective Defendant's name as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Defendants shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendants relinquish all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendants.

The Commission may enforce the Court's judgment for penalties by the use of all collection procedures authorized by law, including the Federal Debt Collection Procedures Act, 28 U.S.C. § 3001 *et seq.*, and moving for civil contempt for the violation of any Court orders issued in this action. Defendants shall pay post judgment interest on any amounts due after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961. The Commission shall hold the funds, together with any interest and income earned thereon (collectively, the "Fund"), pending further order of the Court.

The Commission may propose a plan to distribute the Fund subject to the Court's approval. Such a plan may provide that the Fund shall be distributed pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. The Court shall retain jurisdiction over the administration of any distribution of the Fund and the Fund may only be disbursed pursuant to an Order of the Court.

Regardless of whether any such Fair Fund distribution is made, amounts ordered to be paid as civil penalties pursuant to this Judgment shall be treated as penalties paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the

civil penalty, Defendants shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Defendants' payment in this action, argue that they are entitled to, nor shall they further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Defendants' payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Defendant shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Judgment. For purposes of this paragraph, a "Related Investor Action" means a private damages action brought against Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

V.

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: February 10, 2026



HON. DENISE J. CASPER
United States Chief District Judge

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