

FILED

OCT 03 2016

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff-Appellee,

v.

FRANCIS WILDE; et al.,

Defendants,

and

MARK A. GELAZELA,

Defendant-Appellant.

No. 13-55043

D.C. No.

8:11-cv-00315-DOC-AJW

MEMORANDUM\*

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff-Appellee,

v.

FRANCIS WILDE; et al.,

Defendants-Appellants,

No. 13-55295

D.C. No.

8:11-cv-00315-DOC-AJW

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

and

STEVEN E. WOODS; et al.,

Defendants.

Appeals from the United States District Court  
for the Central District of California  
David O. Carter, District Judge, Presiding

Submitted September 26, 2016\*\*

Before: D.W. NELSON, GRABER, and WATFORD, Circuit Judges.

Defendants appeal the district court's order granting summary judgment on the Securities and Exchange Commission's securities fraud claims. We affirm the district court's order because defendants have failed to demonstrate a genuine dispute as to any material fact in this case. We also find that the district court acted within its discretion by ordering disgorgement of the ill-gotten gains.

**AFFIRMED.**

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\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).