

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	Case No. 1:09-cv-01906
v.	:	(JSG)
	:	
BRANTLEY CAPITAL MANAGEMENT, LLC et al.	:	
	:	
Defendants.	:	

**ORDER AUTHORIZING A SECOND DISTRIBUTION TO CERTAIN
ELIGIBLE CLAIMANTS**

The Court, having reviewed the Plaintiff Securities and Exchange Commission’s (“SEC” or “Commission”) Motion to Authorize a Second Distribution to Certain Eligible Claimants (“Motion”), the supporting Affidavit of Stephanie Thurin in Support of the Securities and Exchange Commission’s Motion for Second Distribution of Fair Fund, and for good cause shown,

IT IS HEREBY ORDERED that the SEC’s Motion is granted.

IT IS FURTHER ORDERED that a second distribution is approved. The second distribution will include the balance of the Fair Fund minus a reserve of \$8,128.79 for taxes and Tax Administrator fees and expenses and \$14,286.00 for Distribution Agent fees and expenses (the “Second Distribution Amount”).

The Second Distribution Amount will be distributed *pro rata* to the Eligible Claimants who negotiated their initial distribution checks and who will receive at least the Minimum Distribution Amount of \$10.00.

All checks will bear the notation “VOID IF NOT NEGOTIATED WITHIN 60 DAYS.” Checks that are not negotiated within this period will be voided and the issuing financial institution will be instructed to stop payment on those checks. Where an Eligible Claimant’s check has not been negotiated within the sixty (60) day period and has been voided, that Eligible Claimant’s claim will be extinguished upon the occurrence of the stale date and all such funds will remain in the Fair Fund.

After the second distribution occurs, if cost effective, as determined by the Distribution Agent and Commission staff, the Distribution Agent is authorized to conduct a further distribution of any remaining funds in the Fair Fund to Eligible Claimants who cashed their second distribution check.

Upon final distribution of payments, the Commission will file a motion with the Court for the disposition of all remaining funds.

All other terms and conditions of the Distribution Plan will remain in full effect to the extent applicable.

Dated: 6/21/16

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE