

*Buckwalter, J*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

AL-RAYA INVESTMENT COMPANY

and

WALEED KHALID AL-BRAIKAN  
As Representative of the Heirs of HAZEM  
KHALID AL-BRAIKAN,

Defendants,

and

KIPCO ASSET MANAGEMENT  
COMPANY (KAMCO),

Relief Defendant.

No. 1:09-CV-6533 (NRB)

ECF Case

U.S. DC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DATE FILED: 12/03/2013

**AMENDED ORDER APPOINTING DISTRIBUTION AGENT**

The Court, having reviewed the Motion to Amend Order Appointing Distribution Agent filed by Plaintiff, the United States Securities and Exchange Commission, and for good cause shown,

**IT IS HEREBY ORDERED** that the Motion is **GRANTED**.

**IT IS FURTHER ORDERED** that:

1. Analytics Consulting, Incorporated, 18675 Lake Drive East, Chanhassen, Minnesota, is hereby appointed to replace BMC Group as Distribution Agent of the Harman


International/Textron Fair Fund, to assist in overseeing the administration and the distribution of the Fair Fund in coordination with Commission staff, pursuant to the terms of a distribution plan to be approved by this Court.

2. Once the Distribution Plan has been approved, the Distribution Agent shall submit quarterly progress reports, in a format to be provided by the Commission staff, to the Commission staff, and a final report when its duties are completed. Commission staff shall file the final report with the Court once it has been reviewed by the Commission staff, and the Commission staff has determined it has no objections.
3. The Distribution Agent shall coordinate with the Court-appointed Tax Administrator, Damasco & Associates LLP, to ensure that the Fair Fund, a Qualified Settlement Fund ("QSF") under Section 468B(g) of the Internal Revenue Code, and related regulations, 26 C.F.R. §§1.468B-1 through 5, complies with all related legal and regulatory requirements, including but not limited to, any reporting or withholding requirements imposed on distributions from the QSF.
4. The Distribution Agent shall be paid reasonable fees and expenses for its services and such fees and expenses shall be paid from the Fair Fund upon further orders of the Court. The Distribution Agent shall, at such times as the Distribution Agent deems appropriate, submit a declaration of fees and expenses, and an invoice to the Commission's counsel for submission to the Court for approval and for payment from the Fair Fund. No fees or expenses may be paid absent the Court's prior approval.
5. The Distribution Agent may be removed *sua sponte* at any time by the Court or upon motion of the Commission and replaced with a successor. In the event the Distribution Agent decides to resign, it will first give written notice to the Court and

to the Commission's counsel of such intention, and the resignation, if permitted, will not be effective until the Court appoints a successor.

**IT IS SO ORDERED.**

Dated: December 2, 2013

  
United States District Judge

sgs