

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PETER N. BRANT,

Defendant.

Civil Action No.  
1:05-cv-00453 (AK)

**FILED**

**NOV 06 2015**

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

**ORDER APPOINTING PLAN ADMINISTRATOR AND APPROVING  
DISTRIBUTION PLAN**

The Court, having reviewed the Securities and Exchange Commission's Motion to 1) appoint a Plan Administrator and 2) approve the Commission's plan to distribute funds collected and any future funds to be collected from Defendant Peter Brant to harmed investors, and it appearing for good cause shown,

**IT IS HEREBY ORDERED**, that:

1. The Motion to Appoint Plan Administrator and Approve Distribution Plan is **GRANTED**.
2. Michael S. Lim is appointed as Plan Administrator.
3. The Distribution Fund will be distributed in accordance with the Distribution Plan approved by this Court.
4. The Plan Administrator shall perform such functions as are necessary to implement and administer the approved Distribution Plan, pursuant to which monies in the Distribution Fund, minus tax obligations and fees and expenses of the Tax Administrator, shall be distributed to Eligible Recipients as defined in the Distribution Plan.
5. The Plan Administrator shall be deemed to be acting within the scope of his employment with the Commission in administering this Distribution Fund. In carrying

out his duties, the Plan Administrator may be assisted by other Commission staff acting under his supervision.

6. The Plan Administrator shall receive no compensation for the services performed in administering the Distribution Fund, other than his regular salary as an employee of the Commission.
7. The Plan Administrator shall coordinate with the Court-appointed Tax Administrator, Damasco & Associates LLP, to ensure that the Distribution Fund, a Qualified Settlement Fund ("QSF") under Section 468B(g) of the Internal Revenue Code, and related regulations pertaining to QSFs, 26 C.F.R. §§ 1.468B-1 through 65, complies with all related legal and regulatory requirements, including without limitation, satisfying any reporting or withholding requirements imposed on distributions from the Distribution Fund.
8. The Plan Administrator may be removed *sua sponte* at any time by the Court or upon motion of the Commission and replaced with a successor.
9. The Plan Administrator and his designees, agents and assistants are not required to post a bond, and shall not be liable to any person for their actions hereunder, except on a finding of willful disregard of duty.
10. The Plan Administrator will submit a final accounting to the Court prior to seeking termination of the Distribution Fund and discharge of the Plan Administrator.

SO ORDERED

*Dated: November 06, 2015*

  
ALAN KAY  
UNITED STATES MAGISTRATE JUDGE