

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**DAVID RONALD ALLEN, et al.,**

**Defendants.**

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**Civil Action No. 3:11-cv-00882-O**

**ORDER**

Before the Court are the Securities and Exchange Commission’s (the “SEC”) Motion for an Order Consolidating Funds, Directing Final Judgment Payments to the SEC, Approving a Distribution Plan, and Appointing a Distribution Agent and Memorandum in Support (ECF Nos. 365, 366), filed August 7, 2019. Having considered the motion, briefing, and applicable law, the Court finds that the SEC’s motion should be and is hereby **GRANTED**. It is hereby further **ORDERED** that:

1. The Clerk of Court (the “Clerk”) is directed to send all existing funds in the Court Registry Investment System account in this action to the SEC for inclusion in the Fair Fund. The Clerk shall send funds by check payable to the SEC, accompanied by a copy of this Order to:

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

2. The Clerk is directed to send any future collections in the Court Registry Investment System account in this action to the SEC. The Clerk shall send funds by check payable to the SEC, accompanied by a copy of this Order to:

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

3. All payments on final judgments entered in this case, including those currently being made by Defendant William F. Burbank, IV to the Clerk, are hereby directed to the SEC. The paying party may transmit payment electronically to the SEC, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may be made directly from a bank account via Pay.gov through the SEC website at:

<http://www.sec.gov/about/offices/ofm.htm>.

The paying party may also pay by certified check, bank cashier's check, or United States postal money order payable to the SEC, 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 paying party's name as a defendant or relief defendant in this action; and a copy of this Order.

4. The SEC is ordered to include in the Fair Fund all amounts it currently holds in this action and any amounts collected in the future, including any funds sent by the Clerk and any party in accordance with this Order. Until such time as the disgorgement, prejudgment interest, and civil penalties ordered in the judgments in this action are

- satisfied, the SEC is directed to retain; credit toward disgorgement, prejudgment interest, and civil penalties, in that order; and not remit to the Treasury any future payments made on judgments entered in this action, for inclusion in the Fair Fund.
5. The SEC's distribution plan (the "Plan") is approved, and the Fair Fund—less a reserve for Administrative Costs as defined in the Plan—shall be distributed in accordance with the Plan;
  6. Catherine E. Pappas is appointed as the Distribution Agent under the terms set forth in the Plan;
  7. The SEC is directed to provide a copy of this Order to the last known address of any party affected by paragraph 3, above.

**SO ORDERED** on this **27th day of December, 2019**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE