

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

FRANCO, et al.

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 10-2-17

01-cv-03872 (JGK)
(CONSOLIDATED)

~~PROPOSED~~ ORDER APPROVING THE FINAL ACCOUNTING, TERMINATING
THE FAIR FUND, DISCHARGING THE DISTRIBUTION AGENT,
AND RELATED RELIEF

The Court, having reviewed the Securities and Exchange Commission’s (“SEC”) Motion for an Order Approving the Final Accounting, Terminating the Fair Fund, Discharging the Distribution Agent, and Related Relief (the “Motion”), the accompanying Memorandum, the Final Status Report and Accounting of the Distribution Agent (the “Final Report”), and all Exhibits and Attachments thereto, and any papers filed in opposition to the Motion,

IT IS HEREBY ORDERED:

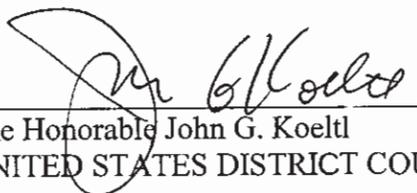
1. The Motion is **GRANTED**;
2. The Fees and Expenses described in ¶17.c. of the Final Report and documented in Exhibits B and C to the Final Report, in the aggregate amount of \$39,389.26 are approved, *nunc pro tunc*, for payment from the Fair Fund established in this action (the “Fair Fund”);
3. Upon entry of this Order, the Distribution Agent may destroy all paper records for which he has an identical electronic copy. In accordance with paragraph 5.1 of the distribution plan approved in this action, the Distribution Agent will retain all

electronic records from this case for a period of three (3) years following the filing of the Final Report, after which he will remit those electronic records to the SEC for disposition in accordance with SEC record retention policies;

4. The Final Accounting included as Exhibit A to the Final Report is APPROVED;
5. All funds remaining in the Fair Fund and any funds returned to the Fair Fund in the future shall be transferred to the SEC for remittance to the U.S. Treasury, subject to Section 21F(g)(3) of the Securities Exchange Act of 1934 [15 U.S. Code §78u-6(g)(3)];
6. The Fair Fund is TERMINATED; and
7. The Distribution Agent is DISCHARGED.

IT IS SO ORDERED.

DATED: 9/29 2017



The Honorable John G. Koelt
UNITED STATES DISTRICT COURT