

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

SECURITIES AND EXCHANGE )  
COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DAVID S. HADDAD, TRAFALGAR )  
SQUARE RISK MANAGEMENT, LLC, )  
and NEW ENGLAND RE, LLC )  
 )  
Defendants. )

Civil Action No. 3:18-cv-00055-WWE

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION’S MOTION TO ESTABLISH A FAIR FUND, APPOINT A TAX ADMINISTRATOR, APPOINT A DISTRIBUTION AGENT, APPROVE THE PROPOSED PLAN OF DISTRIBUTION, DISBURSE FUNDS, AND AUTHORIZE THE PAYMENT OF TAXES AND FEES**

Plaintiff Securities and Exchange Commission (the “Commission”) respectfully represents:

The Commission will seek to distribute the funds recovered and to be recovered to the injured investors. In order to accomplish this, the Commission hereby moves the Court to:

- (i) establish a Fair Fund;
- (ii) appoint Miller Kaplan Arase LLP<sup>1</sup> (“Miller Kaplan”) located in San Francisco, California, as Tax Administrator;
- (iii) appoint Sondra Panahi, Commission employee, as Distribution Agent of the Fair Fund;
- (iv) approve the Commission’s Proposed Plan of Distribution for the Fair Fund (Exhibit A to this Motion);

<sup>1</sup> This firm was formerly known as Damasco & Associates, LLP.

- (v) authorize the Commission to disburse funds in accordance with the Proposed Plan of Distribution to pay the twenty-eight Eligible Investors who suffered harm resulting from the Defendants' misconduct as alleged in the Complaint;
- (vi) authorize the Commission to pay future tax obligations, and fees and expenses of the Tax Administrator, upon written request to and written approval by Commission staff, without further order from the Court; and
- (vii) order such other and further relief as the Court may appear just and proper.

In support of this Motion, the Commission submits the accompanying Memorandum of Law. A proposed Order is submitted herewith.

Dated: May 24, 2018

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION  
By its attorneys,

/s/ Deena R. Bernstein  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2018, a true copy of the foregoing motion was filed by electronic means using the Court's Electronic Case Filing (ECF) system.

/s/ Deena R. Bernstein

Deena R. Bernstein