

UNITED STATES DISTRICT COURT
EASTERN DISTRICT NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

HARRISON KATZEN

Defendant.

1:16-cv-06606 (BMC)

ORDER TO APPOINT A DISTRIBUTION AGENT

The Court having reviewed the Securities and Exchange Commission's ("SEC" or "Commission") Motion to Appoint a Distribution Agent and for good cause shown.

IT IS HEREBY ORDERED:

1. The Motion is **GRANTED**.
2. Analytics Consulting LLC ("Analytics") is appointed to serve as the distribution agent of the Distribution Fund in this matter, pursuant to the terms of a distribution plan to be approved by this Court. Analytics shall coordinate with the Court-appointed Tax Administrator, Miller Kaplan Arase LLP, to ensure that the proposed Distribution Fund, 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, satisfying any reporting or withholding requirements imposed on distributions from the QSF.
3. Analytics shall invoice all administrative fees and expenses incurred in the administration

and distribution of the proposed Distribution Fund to the Commission for review and approval by Commission staff. Any unresolved objections to an invoiced amount will be referred to the Court.

4. Once the distribution plan is approved, Analytics will submit quarterly progress reports to the Commission staff and a final accounting report for the Distribution Fund, in a format to be provided by the Commission staff, when Analytics' duties are completed. Commission staff shall file the final accounting report for the Distribution Fund with the Court once it has been reviewed by Commission staff, and Commission staff has determined it has no objections.
5. Analytics 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 Analytics decides to resign, it will first give written notice to the Court and to Commission staff of such intention, and the resignation, if permitted, will not be effective until the Court appoints a successor.

Dated: ~~July 26, 2019~~

August 26, 2019

U.S.D.J.