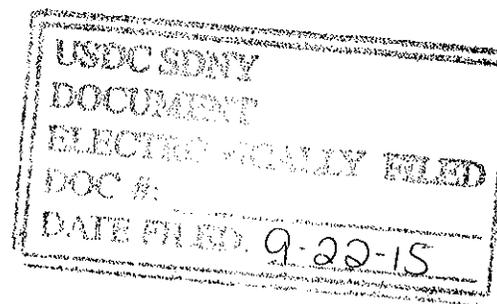


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MIZUHO SECURITIES USA INC.,

Defendant.

12-CV-5550 (MGC)

~~PROPOSED~~ ORDER TO ESTABLISH A FAIR FUND, APPROVE A DISTRIBUTION PLAN, AND APPOINT A PLAN ADMINISTRATOR

The Court, having reviewed the Plaintiff's Notice of Motion, Motion and Memorandum in Support, for an Order to Establish a Fair Fund, Approve a Distribution Plan, and Appoint a Plan Administrator, the proposed Distribution Plan, and for good cause shown,

**IT IS HEREBY ORDERED:**

1. The motion is **GRANTED**.
2. A Fair Fund, in accordance with Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended by the Dodd-Frank Act of 2010 [15 U.S.C. §7246], is hereby established for the benefit of defrauded investors and shall comprise and include the entire amount paid by Defendant and held by the Securities Exchange Commission, plus any interest accrued thereon.
3. The Distribution Plan is approved.
4. Nancy Chase Burton, an employee of the Securities and Exchange Commission, is appointed as Plan Administrator.

**SO ORDERED**

*Loretta A. Preska*  
LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

*September 21, 2015*