

1 JINA L. CHOI (N.Y. Bar No. 2699718)
2 JASON M. HABERMEYER (Cal. Bar No. 226607)
3 HabermeierJ@sec.gov
4 JUDITH L. ANDERSON (Cal. Bar No. 124281)
5 AndersonJu@sec.gov

6 Attorney for Plaintiff
7 SECURITIES AND EXCHANGE COMMISSION
8 44 Montgomery Street, Suite 2800
9 San Francisco, California 94104
10 Telephone: (415) 705-2500
11 Facsimile: (415) 705-2501

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 SECURITIES AND EXCHANGE COMMISSION,
16 Plaintiff,
17 v.
18 JAMES MICHAEL MURRAY,
19 Defendant,
20 and
21 EVENT TRADING GP, LLC,
22 Relief Defendant.

Case No. CV-12-1288-EMC

~~[PROPOSED]~~ REVISED ORDER GRANTING
PLAINTIFF SECURITIES AND EXCHANGE
COMMISSION'S MOTION FOR
DISGORGEMENT AGAINST RELIEF
DEFENDANT EVENT TRADING GP, LLC
AND ENTERING FINAL JUDGMENT

1 This matter came before the Court on a motion for disgorgement against Relief
2 Defendant Event Trading GP, LLC (“Relief Defendant” or “Event Trading”) by Plaintiff
3 Securities and Exchange Commission (“Commission”). The Court has received and
4 considered the motion, the Commission’s memorandum of points and authorities, the
5 Declaration of Judith L. Anderson and all exhibits attached to the declaration, and all other
6 submissions, written or oral, at or before the hearing.

7 Good cause appearing, the Court GRANTS the Commission’s motion and ORDERS
8 as follows:

9 **I.**

10 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Relief Defendant
11 is liable for disgorgement of all monies contained in an Interactive Brokers account ending in
12 0538, which is held in the name of Event Trading. Relief Defendant shall satisfy this
13 obligation by paying all monies held in this account to the Clerk of this Court, together with a
14 cover letter identifying Relief Defendant as a relief defendant in this action; setting forth the
15 title and civil action number of this action and name of this Court; and specifying that
16 payment is made pursuant to this Order. Relief Defendant shall simultaneously transmit
17 photocopies of such payment and letter to Jina Choi, Regional Director, Securities and
18 Exchange Commission, 44 Montgomery Street, Suite 2800, San Francisco, CA 94104. By
19 making this payment, Relief Defendant relinquishes all legal and equitable right, title and
20 interest in such Funds and/or any accrued interest and income thereon, and no part of the
21 Funds or any accrued interest or income thereon, and no part of the Funds and/or any accrued
22 interest or income thereon shall be returned to Relief Defendant. Relief Defendant shall pay
23 post-judgment interest on any delinquent amounts not paid in accordance within fourteen (14)
24 calendar days from entry of this Final Order, pursuant to the calculation prescribed for post-
25 judgment interest in 28 U.S.C. § 1961.

26 **IT IS FURTHER ORDERED** that the Clerk of the Court shall accept from Interactive
27 Brokers a check made payable to “Clerk, United States District Court,” in the amount of the
28 total current balance of the Event Trading account ending in 0538 and shall deposit the Funds

1 into an interest bearing account with the Court Registry Investment System (“CRIS”) or any
2 other type of interest bearing account that is utilized by the Court. The Funds, together with
3 any interest and income earned thereon, shall be held in the interest bearing account, pending
4 submission by the Commission of a proposed plan to distribute the Fund to the Market
5 Neutral Trading investors subject to the Court’s approval and subsequent order. In
6 accordance with 28 U.S.C. § 1914 and the guidelines set by the Director of the Administrative
7 Office of the United States Courts, and General Order No. 31 of this Court, the Clerk is
8 directed without further order of this Court, to deduct from the income earned on the money in
9 the Fund a fee equal to an annualized ten basis points of the income earned on the Fund. Such
10 fee shall not exceed that authorized by the Judicial Conference of the United States.

11 The Commission may enforce the Court’s judgment for disgorgement and
12 prejudgment interest by moving for civil contempt (and/or through other collection procedures
13 authorized by law) at any time after 14 days following entry of this Judgment. Relief
14 Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C.
15 § 1961.

16 II.

17 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED** that the
18 Order Granting Plaintiff’s Motion for Leave to File a Supplemental First Amended Complaint
19 and For An Asset Freeze (ECF No. 58) is hereby dissolved as to Defendant and Relief
20 Defendant and is no longer of any force or effect as to either of them as to the provision
21 freezing assets. All banks, financial institutions, and brokerage firms are hereby notified that
22 the asset freeze is no longer in effect as to Relief Defendant.

23 III.

24 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED** that
25 Interactive Brokers is required to release all funds currently frozen in the account ending in
26 0538 in the name of Event Trading GP, LLC to allow Relief Defendant to comply with this
27 Order. To the extent that Relief Defendant does not make the required payment to the Clerk
28 of the Court within 14 days of entry of this Order, Interactive Brokers is directed to transfer

1 all monies held in the Event Trading account ending in 0538 to the Clerk of the Court
2 pursuant to the payment methods set forth in Section I, above. Interactive Brokers is further
3 directed to simultaneously transmit photocopies of such payment and letter to Jina Choi,
4 Regional Director, Securities and Exchange Commission, 44 Montgomery Street, Suite 2800,
5 San Francisco, CA 94104.

6 **IV.**

7 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this Court shall retain
8 jurisdiction of this matter for the purposes of enforcing the terms of this Order.

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10 DATED: 7/28/17



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