

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

06 CV 6153 (LDW) (ETB)

Plaintiff,

- against -

SPIRO GERMENIS,  
ORACLE SERVICES INC., and  
ORACLE EVOLUTION, LLC,

Defendants,

- and -

ORACLE E FUND, L.P.,  
ORACLE J FUND, LP, and  
ORACLE EVOLUTION CAPITAL, LLC,

Relief Defendants.

**SECOND NOTICE OF MOTION FOR  
APPROVAL OF DISTRIBUTION PLAN**

TO ALL COUNSEL AND PRO SE PARTIES OF RECORD:

PLEASE TAKE NOTICE, that upon the Declaration of John J. Graubard dated May 23, 2012, the Declaration of Stephen Johnson dated May 23, 2012, the exhibits attached to said Declarations, the Proposed Distribution Plan, dated May 23, 2012, the Memorandum of Law in Support of Motion for Approval of Distribution Plan, dated May 23, 2012, a Proposed order Approving Distribution Plan, and a Proposed Scheduling Order for Notice to Investors, the plaintiff Securities and Exchange Commission (the "Commission") will move this Court before the Hon. Leonard D. Wexler at the United States Courthouse, 100 Federal Plaza, Courtroom 940, on a date and at a time to be set by the Court, for an order (1) approving the Proposed

Distribution Plan, (2) appointing a Fund Administrator, (3) directing the distribution of the fund, and (4) granting such other and further relief as to the Court may appear just and proper.

PLEASE TAKE FURTHER NOTICE, that the Commission requests that the Court issue a scheduling order providing for notice to investors of the date, time, and place of such hearing, and for the time for such investors, and any other interested person, to file responses to the Proposed Distribution Plan. A Proposed Scheduling Order is submitted herewith.

Dated: New York, New York  
May 23, 2012

/s/

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