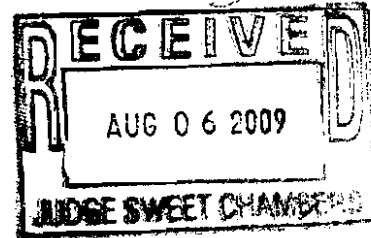


Sweet

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TYCO INTERNATIONAL LTD.,

Defendant.

06-CV-2942 (RWS)
ECF CASE

**ORDER GRANTING PLAINTIFF'S MOTION TO ESTABLISH A FAIR FUND,
APPOINTING A FUND ADMINISTRATOR, AND DIRECTING
CLERK TO DISBURSE FUNDS TO PAY TAX ADMINISTRATOR'S FEES**

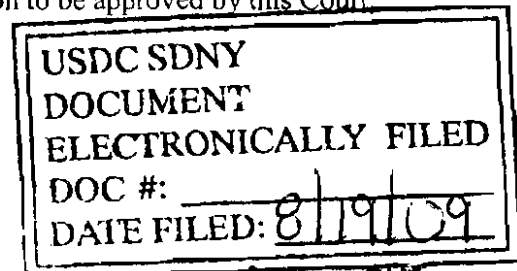
The Court, having reviewed the Motion for Order Establishing a Fair Fund, Appointing a Fund Administrator, and Directing Clerk to Disburse Funds to Tax Administrator's Fees filed by plaintiff Securities and Exchange Commission ("Commission"), and the Declaration of Jude P. Damasco ("Damasco Fee Declaration") filed with the Commission's motion, and for good cause shown,

IT IS HEREBY ORDERED that the Motion is **GRANTED**.

It is **FURTHER ORDERED** that:

1. A fair fund is hereby established ("Tyco Fair Fund"), the corpus of which shall consist of the funds in the Tyco CRIS Account, together with any funds added to that account prior to any distribution of the Tyco Fair Fund, and any interest and income thereon;

2. The Garden City Group, Inc., 105 Maxess Road, Melville, New York, is appointed to be the Fund Administrator of the Tyco Fair Fund, to assist in developing a plan of distribution for the Tyco Fair Fund and to oversee the administration of claims and the distribution of the Tyco Fair Fund pursuant to the terms of a plan of distribution to be approved by this Court:



3. The Commission shall submit a proposed plan of distribution for the Tyco Fair Fund for the Court's review and approval when that plan has been finalized;


4. The Clerk of the Court shall issue a check on the Tyco CRIS Account, identified by docket number 06-CV-2942 (RWS), and case name designation, *SEC v. Tyco International Ltd.*, in the amount of \$2,373.23, payable to "Damasco & Associates LLP," to pay the fees and expenses of the Tax Administrator, as set forth in the Damasco Fee Declaration. The check shall contain the notation "*SEC v. Tyco International Ltd.*, No. 06-CV-2942 (RWS), Tax Administrator fees and expenses (2008 tax return)." The Clerk shall send the check by overnight delivery via federal express or other overnight service to the Tax Administrator at the following address:

Damasco & Associates LLP
700 Monte Vista Lane
Half Moon Bay, CA 94019
Phone: (650) 726-4100

and

5. The Commission's counsel shall provide the Clerk with all information necessary to facilitate the expeditious shipping and delivery of the check to the Tax Administrator.

Dated: August 8, 2009.


UNITED STATES DISTRICT JUDGE