

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

CASE NO. 8:12-cv-47-T-23MAP

TODD FARHA, et al.,

Defendants.

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ORDER

The Securities and Exchange Commission sues (Doc. 1) several executives of WellCare Health Plans, Inc. (WellCare) for securities violations. After three WellCare executives consented to the entry of judgment against the executives and for the SEC, the executives paid the SEC. The SEC reports (Doc. 44) that the balance of the money paid in the court registry is approximately \$22,428,079.57. In a related proceeding, WellCare consented to the entry of a final judgment, and the SEC reports that the balance of the money in the court registry — designated the “Fair Fund” — is \$10,546,465.82. The SEC moves (Doc. 44) to “transfer the net balance of all funds held in this matter . . . to the Fair Fund,” which an August 13, 2019 order establishes for distributing money to harmed investors. In support of transferring the money, the SEC reasons (1) that the defendants’ “violations in this case are based on the same . . . facts as those in the WellCare case,” (2) that the

injured investors in both proceedings are the same, (3) that combining the money “is a cost-effective and efficient way” of compensating the injured investors, and (4) that combining the money from this action with the “WellCare Fair Fund” is fair and reasonable.

The SEC’s motion to transfer the money in this action to the “Fair Fund” is **GRANTED**. The clerk is directed to transfer the money held by the SEC in this action (designated “*SEC v. Todd Farha, Paul Behrens, and Thaddeus Bereday*,” 8:12-cv-47-T-23MAP) to the “Fair Fund” established in the related action entitled, “*SEC v. WellCare Health Plans, INC.*, 8:09-cv-910-T-33JSS.”

ORDERED in Tampa, Florida, on June 5, 2020.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE