

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

**SECURITIES AND EXCHANGE
COMMISSION**

Plaintiff,

v.

**WESTPORT CAPITAL MARKETS,
LLC AND CHRISTOPHER E.
MCCLURE,**

Defendants.

Case No. 3:17-cv-2064-JAM

Order to Show Cause

Plaintiff Securities and Exchange Commission (the “SEC”) having filed a Motion for an Order to Show Cause (the “Motion”) why the Court should not approve the SEC’s proposed plan of distribution (the “Proposed Plan”) for collections in this matter (the “Distribution Fund”), and for good cause shown,

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

I.

IT IS FURTHER ORDERED THAT, within two business days of the issuance of this Order:

- a) Within 10 business days of this Order, the SEC shall cause a copy of this Order, along with a copy of the Proposed Plan, to be sent to the last known address of all clients of the defendants identified as having been affected by the conduct underlying the Complaint (“Identified Investors”);
- b) The SEC shall publish this Order on the public webpage established for this case

(<https://www.sec.gov/divisions/enforce/claims/westport.htm>) (the “SEC Westport Webpage”) along with a copy of the Proposed Plan; and

- c) Any costs associated with a), above, shall be paid by the Distribution Fund.

The foregoing publication and dissemination, along with the publication of this Order through the Court’s ECF system, shall constitute and suffice as notice of the Proposed Plan and the opportunity to object to interested parties.

II.

IT IS FURTHER ORDERED THAT individuals and entities who were clients of Westport and paid undisclosed markups during the period January 1, 2012 through June 30, 2015, inclusive, and/or 12b-1 fees during the period January 1, 2012 through September 14, 2017, inclusive (“Preliminary Claimant”), or other interested parties, within forty (40) days from the entry of this Order (the “Objection Due Date”), shall show cause, if there is any, why this Court should not enter an Order approving the Proposed Plan.

Objections shall be made by correspondence received by the Distribution Agent no later than 11:59 p.m. EST on the Objection Due Date, at the following electronic mail address:

ENF-SECvWestport@sec.gov

The correspondence must clearly state that the submitting entity is a Potentially Eligible Investor as defined above, or otherwise state fully and clearly the entity’s interest in this matter, and the entity’s objection(s) to the Proposed Plan. The submitting entity must include all documentation necessary to support the objection. Any and all factual assertions must be concluded with the following declaration, if true, followed by the submitting person’s signature and the date of signature:

I declare pursuant to 28 U.S.C. §1746, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

All correspondence must include current contact information for the submitting person, including, if available, an email address and mobile telephone number. Unresolved objections will be publicly filed by the SEC with the Court, as further set forth below in Section IV.

To the extent a submitting entity seeks to include in their submission sensitive information such as a social security number, financial account number, or home address, they should encrypt the submission prior to sending, sending the password in a separate email, or submit it pursuant to the next paragraph.

If a submitting entity is unable to securely submit their objection by email, they may send it addressed as set forth below. The Distribution Agent must receive the submission no later than the Objection Due Date.

SEC Office of Distributions
Attn: Catherine E. Pappas/ Brian Beirne
SEC v. Westport Capital, LLC et al.
100 F Street NE
Mail Stop 5012
Washington, DC 20549

Failure to timely submit an objection in accordance with this section will result in the objection being waived. Proof of timely receipt by the Distribution Agent will be the burden of the submitting entity.

III.

IT IS FURTHER ORDERED that, if no objections to the Proposed Plan are timely submitted, the SEC shall:

- a) File a notice so advising the Court (the “Notice”), accompanied by a copy of the Proposed Plan, as well as a proposed Order approving the Proposed Plan; and

- b) Post a copy of the Notice, Proposed Plan, and proposed Order on the SEC Webpage.

Upon receipt of such Notice from the SEC, the Court may enter an Order approving the Proposed Plan without further notice or passage of time.

IV.

IT IS FURTHER ORDERED THAT, if objections are timely received pursuant to this Order and cannot be resolved, the SEC shall file them, with sensitive information redacted, together with its response, within sixty (60) days of the entry of this Order, with copies of its response served by electronic, First Class, or Overnight Mail upon any objecting party. The SEC may propose an amended plan if and as appropriate. If the SEC proposes an amended plan, the amended plan, and any accompanying filings, will be made available to all Potentially Eligible Investors and interested parties through the SEC Webpage, with notice of the same sent to all Identified Investors. All costs of such dissemination shall be paid by the Distribution Fund. Such publication and dissemination, along with the publication through the Court's ECF system, shall constitute and suffice as notice of the amended plan. No further objection period will be provided unless expressly ordered by the Court.

If the Court deems it necessary or appropriate, the Court may conduct a hearing before approving the Proposed (or amended) Plan. Notice of a hearing shall be provided through the Court Docket and the SEC Webpage, and if and as otherwise ordered by the Court.

SO ORDERED, this 12th date of December, 2022,

/s/Jeffrey A. Meyer
The Honorable Jeffrey A. Meyer
United States District Court Judge