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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

06 Civ. 6153 (LDW / ETB)

Plaintiff,

- against -

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

Defendants,

ORACLE E FUND, LP, ORACLE J FUND, LP, and  
ORACLE EVOLUTION CAPITAL, LLC,

Relief Defendants.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D. N.Y.  
★ DEC 17 2010 ★  
LONG ISLAND OFFICE

**~~PROPOSED~~ SCHEDULING ORDER FOR NOTICE TO INVESTORS OF PROPOSED  
DISTRIBUTION PLAN AND OPPORTUNITY TO BE HEARD**

The plaintiff Securities and Exchange Commission (the "Commission") has filed a Motion for Approval of Distribution Plan, Appointment of Fund Administrator and Order Directing Distribution, concerning amounts deposited in the Court Registry Investment System ("CRIS") in partial satisfaction of the Amended Final Judgment by Default (the "Final Judgment") against the defendants Spiro Germenis ("Germenis"), Oracle Services Inc. ("Services"), and Oracle Evolution, LLC ("Evolution") (collectively the "Defendants") and relief defendants Oracle E Fund, L.P. ("E Fund"), Oracle J Fund, LP ("J Fund"), and Oracle Evolution Capital, LLC ("Capital") (collectively the "Relief Defendants").

The Court finds that those persons who have invested funds with the Defendants and/or the Relief Defendants should have notice of the Commission's motion and an opportunity to be heard in response to such motion.

MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY  
OF THIS ORDER ON ALL PARTIES UPON RECEIPT.

WHEREUPON, IT IS HEREBY ORDERED:

1. The Commission shall serve each of the 27 known investors (as shown on the list to be filed under seal as provided by Paragraph 6 below) with the following documents:

- a. A copy of papers filed by the Commission in its Motion, including:
  - 1) A Notice of Motion For Approval of Distribution Plan, Appointment of Fund Administrator, and Order Directing Distribution;
  - 2) Proposed Distribution Plan;
  - 3) Memorandum of Law of the Securities and Exchange Commission in Support of Motion for Approval of Distribution Plan;
  - 4) Declaration of Stephen Johnson in Support of Motion for Approval of Distribution Plan (along with attached exhibits, including redacted investor list as described in Paragraph 6 below; and list of account balances as of September 2006, in which investor money was located by the Commission); and
  - 5) Proposed Order Approving Distribution Plan, Appointing Fund Administrator, and Directing Distribution.
- b. A cover letter including information identifying that investor's identification number on the redacted list of investors and information on how the investor should file a response to the Commission's Motion as provided in paragraph 3 below; and
- c. A copy of this Scheduling Order as issued by the Court.

Service shall be made by first class mail, postage prepaid, addressed to the last known address of each investor. Service shall be complete on mailing, and such mailing shall be made on or before DECEMBER 24, 2010.

2. The Commission shall post on the SEC website a notice to investors and other interested parties with links to copies of the motion papers served on the known investors pursuant to paragraph 1 above.

3. Any known investor and any other person claiming to be an investor may file a response to the Commission's motion on or before FEBRUARY 11, 2011 ~~2010~~. Any response must be in writing under penalty of perjury. Any response shall not be filed with the Clerk, but shall be sent by the investor to the Commission at the following address:

Dina Levy, Senior Counsel  
Securities and Exchange Commission  
New York Regional Office  
3 World Financial Center, Room 400  
New York, New York 10281-1022.

The Commission shall file all investor responses, if any, with the Court under seal.

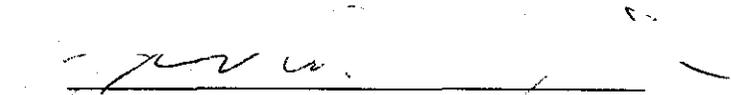
4. The Commission may reply to any investor responses on or before MARCH 11, 2011 ~~2010~~. Such reply shall be filed with the Court under seal.

5. The Court will thereupon determine whether to hold a hearing on this motion or to determine this motion on the papers submitted, and will direct the manner of notice of such hearing to be provided to (a) the known investors and (b) to any other person claiming to be an investor who has provided a response to this motion.

6. The name, address, and other personal identification information concerning any investor shall be redacted from any documents filed by ECF and the unredacted documents shall be filed under seal. Upon receipt of this Order, the Commission will also file, under seal, a list

of the investors, and will file by ECF a redacted copy of such list identifying each investor only by an identification number, along with the amount of the investment and the city and state of residence.

Dated: Central Islip, New York  
DECEMBER 17, 2010

  
UNITED STATES DISTRICT JUDGE