

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 19-cv-02461-MEH

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

CETERA ADVISORS LLC, and
CETERA ADVISOR NETWORKS LLC,

Defendants.

ORDER

Michael E. Hegarty, United States Magistrate Judge.

For good cause shown, the Court hereby **grants** Plaintiff Securities and Exchange Commission's ("SEC") unopposed "Motion for an Order Appointing a Distribution Agent and Authorizing the SEC to Approve Payments of Fees and Expenses of the Distribution Agent Without Further Court Order." ECF 125.

IT IS HEREBY ORDERED:

1. Epiq Class Action & Claims Solutions, Inc. ("Epiq") is appointed Distribution Agent for the Fair Fund to assist in overseeing the administration and the distribution plan to be approved by this Court. Epiq shall coordinate with the Court-appointed Tax Administrator, Heffler, Radetich & Saitta, LLP ("HRS"), to ensure that the Fair Fund, a Qualified Settlement Fund ("QSF") under Section 468B(g) of the Internal Revenue Code, and related regulations, 26 C.F.R. §§ 1.468B-1 through 5, complies with all related legal and regulatory requirements, including but not limited to, satisfying any reporting or withholding requirements imposed on

distributions from the QSF. Epiq may be removed *sua sponte* at any time by the Court or upon motion of the Commission and replaced with a successor. In the event Epiq decides to resign, it will first give written notice to the Court and to the Commission's counsel of such intention, and the resignation, if permitted, will not be effective until the Court appoints a successor.

2. The Commission is authorized to approve and arrange payment of all fees and expenses of the Distribution Agent directly from the Fair Fund without further order of this Court. All payments of the fees and expenses of the Distribution Agent shall be reported to the Court in a final accounting.

Entered and dated at Denver, Colorado, this 16th day of November, 2023.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive, flowing style.

Michael E. Hegarty
United States Magistrate Judge