UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE

COMMISSION,

Plaintiff,

No. 19 Civ. 9013 (JSR)

ν.

ECF CASE

ALKIVIADES DAVID and HOLOGRAM USA NETWORKS INC.,

Defendants.



[PROPOSED] ORDER ESTABLISHING A FAIR FUND, APPROVING A DISTRIBUTION PLAN, AND APPOINTING A DISTRIBUTION AGENT

The Court, having reviewed the papers in support of the motion of the Securities and Exchange Commission ("Commission" or "SEC") for an Order establishing a Fair Fund, approving the SEC's plan to distribute the funds under this Court's jurisdiction in this matter (the "Plan"), which is attached, and appointing Richard G. Primoff, an SEC employee, as the Distribution Agent, and the Commission having provided notice to Investors of, among other things, the Commission's intent to file this motion; informed Investors of the Commission's calculation of their Investment(s) and Recovery(ies); provided directions on how to object to the Commission's calculations, as well as to the SEC's proposed plan methodology, and any objections thereto having been resolved,

IT IS HEREBY ORDERED that:

1. The Commission's motion is **GRANTED**;

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2. A Fair Fund is established pursuant to Section 308(a) of the Sarbanes Oxley Act of

2002, 15 U.S.C. § 7246(a), for all funds under the Court's jurisdiction in this matter, including

any accrued interest (the "Fair Fund");

The Commission is ordered to include in the Fair Fund all amounts it currently 3.

holds in this action;

4. Richard G. Primoff is appointed as the Distribution Agent under the terms set forth

in the Plan;

5. The Plan is approved;

The Fair Fund shall be distributed in accordance with Appendix A to the Plan; and 6.

7. If a Residual remains in the Fair Fund after the distribution set forth in ¶ 5, above,

the Residual may, in the discretion of the Commission acting through the Distribution Agent, be

distributed in accordance with the Plan.

IT IS SO ORDERED.

Dated: 7/27/, 2021

United States District Court Judge

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