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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JOHN LAZORCHAK, et al.

Defendants.

Case No. 12-7164 (KSH-PS)

**ORDER DISMISSING THE PLAINTIFF'S CLAIM FOR CIVIL PENALTIES AGAINST
JOHN LAZORCHAK, MARK CUPO, AND MARK FOLDY**

UPON CONSIDERATION of Plaintiff Securities and Exchange Commission's Unopposed Motion Pursuant to Fed. R. Civ. P. 41(a)(2) to Voluntarily Dismiss its Claim for a Civil Penalty Against John Lazorchak, Mark Cupo, and Mark Foldy, and upon finding that there is no just reason for delay,

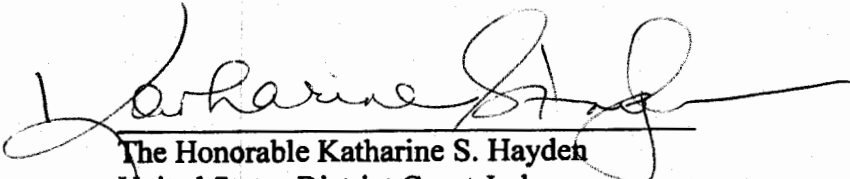
IT IS HEREBY ORDERED AND DECREED this 11th day of June, 2014,

that:

The Securities and Exchange Commission's Motion is **GRANTED**, and its claim for the imposition of a civil penalty against each of John Lazorchak, Mark Cupo, and Mark Foldy is hereby dismissed; and

Upon entry of this Order, this Court's Judgments as to John Lazorchak, filed on October 7, 2013 as Docket No. 89; Mark Cupo, filed on October 8, 2013 as Docket No. 90; and Mark Foldy, filed on October 8, 2013 as Docket No. 91, are deemed to be the Final Judgment as to that Defendant. There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Order, and thus, those Final Judgments, forthwith and without further notice.

This Court shall retain jurisdiction of this matter for the purpose of enforcing the terms of the Final Judgments as to Defendants John Lazorchak, Mark Cupo, and Mark Foldy.

Dated: 6/11/14 
The Honorable Katharine S. Hayden
United States District Court Judge