

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 0:12-cv-61074-RSR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**KEVIN P. BRENNAN, DONALD G. HUGGINS,
MARC S. PAGE, AND OPTIMIZED
TRANSPORTATION MANAGEMENT, INC.,**

Defendants.

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF ITS
CLAIMS FOR DISGORGEMENT AND A CIVIL PENALTY AGAINST
DEFENDANT DONALD G. HUGGINS**

Plaintiff Securities and Exchange Commission notifies the Court that it files this Notice of Voluntary Dismissal with prejudice as to its claims for disgorgement and a civil penalty against Defendant Donald G. Huggins.

On December 5, 2012, the Court entered a Judgment of Permanent Injunction and Other Relief by consent against Huggins [DE 34]. Per the Judgment, the only outstanding issue as to Defendant Huggins was the amount of a civil penalty claim, if any, to be sought by the Commission.¹ After the Court issued its Default Judgments against Defendants Brennan and Optimized Transportation Management [DE 83 and 85] and its Final Judgment against Page [DE 84] yesterday, it came to Plaintiff's attention that it had not notified the Court in its Notice of Approval of Settlement, Notice of Filing Consent of Page, and request for Entry of Judgment of Permanent Injunction and Other Relief [DE 82] that it wished to voluntarily dismiss the disgorgement and civil penalty claims against Defendant Huggins.

¹ Disgorgement was not addressed in DE 34 but was requested in the Complaint [DE 1].

The Commission now voluntarily dismisses its disgorgement and civil penalty claims against Huggins. With this voluntary dismissal of the disgorgement and civil penalty claims against Huggins all issues related to this case are now resolved.

Respectfully submitted,

December 11, 2013

By: /s/ Michelle I. Bougdanos

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on December 11, 2013, I electronically filed the above document using CM/ECF. I also certify that the foregoing document is being served this day on all counsel for records identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel for parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Michelle I. Bougdanos
Michelle I. Bougdanos

SERVICE LIST

Securities and Exchange Commission v. Brennan, et al.
Case No. 0:12-cv-61074-RSR
United States District Court, Southern District of Florida

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