

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

A.C.L.N., LTD., et al.,

Defendants.

Case No. 1:02-CV-7988-LAP

Honorable Loretta A. Preska

Magistrate Theodore H. Katz

**PLAINTIFF'S NOTICE AND MOTION FOR AN ORDER AUTHORIZING THIRD
DISBURSEMENT FROM THE ACLN DISTRIBUTION FUND**

NOTICE

PLEASE TAKE NOTICE that Plaintiff Securities and Exchange Commission will move this Court at a date and time to be determined by the Court before the Honorable Loretta A. Preska at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007-1312 for an order in substantially the form of the accompanying proposed Order Authorizing Third Disbursement from the ACLN Distribution Fund, pursuant to the Court-approved Distribution Plan (the "Plan") (ECF No. 62) and authorizing: 1) the SEC to establish a reserve of \$139,498.85 to pay the administrative fees, expenses, and taxes of the ACLN Distribution Fund; 2) the SEC to transfer funds totaling \$3,754,775.24 to the ACLN Distribution Fund's escrow account established by the Distribution Agent at Signature Bank for distribution; and 3) direct the Distribution Agent to disburse \$3,754,775.24, less tax withholdings of \$2.00, pursuant to the payment file prepared by the Distribution Agent and in accordance with the Distribution Plan, to the Eligible Claimants who successfully negotiated their payments in the First and Second Disbursements and who will receive a payment greater than or equal to \$25.00 in the Third Disbursement.

MOTION

WHEREFORE, for all the reasons set forth in the accompanying Memorandum and the exhibit thereto, the SEC respectfully moves this Court to enter the Proposed Order authorizing:

1) the SEC to establish a reserve of \$139,498.85 to pay the administrative fees, expenses, and taxes of the ACLN Distribution Fund; 2) the SEC to transfer funds totaling \$3,754,775.24 to the ACLN Distribution Fund's escrow account established by the Distribution Agent at Signature Bank for distribution; and 3) direct the Distribution Agent to disburse \$3,754,775.24, less tax withholdings of \$2.00, pursuant to the payment file prepared by the Distribution Agent and in accordance with the Distribution Plan, to the Eligible Claimants who successfully negotiated their payments in the First and Second Disbursements and who will receive a payment greater than or equal to \$25.00 in the Third Disbursement.

Dated September 17, 2024.

Respectfully Submitted



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