UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SECURITIES AND EXCHANGE COMMISSION, Plaintiff, v. DIKE BOONE NERREN, Defendant.	Case No. 4:20-CV-965 Honorable Amos L. Mazzant, III

PLAINTIFF'S MOTION FOR AN ORDER APPROVING THE FINAL ACCOUNTING AND ADDENDUM, TERMINATING THE FAIR FUND, AND DISCHARGING THE DISTRIBUTION AGENT

Plaintiff Securities and Exchange Commission ("SEC") respectfully moves the Court to enter an order approving the final accounting and addendum, terminating the Fair Fund, and discharging the Distribution Agent, and granting such other relief as the Court deems just and proper.

I. BACKGROUND

The SEC filed a Complaint on December 21, 2020, alleging that Defendant and others raised money from November 2015 through May 2017 to fund a real estate project in McKinney, Texas (the "McKinney Project") by selling membership units in Sapient Fund II, LLC and limited partnership units in Vintage Place Fund, LP using private placement memoranda ("PPMs"). The PPMs stated that investor funds would be used solely in connection with the acquisition and development of the McKinney Project, and through two securities offerings Defendant and others raised $1.4 million for the McKinney Project. The Complaint alleges that between January 5, 2016, and May 9, 2016, Defendant diverted a total of $450,000 of investor funds to another unrelated project. The Complaint alleged that Defendant's conduct violated Section 17(a)(2) and (3) of the Securities Act [15 U.S.C. § 77q(a)(2) and (3)]. ECF No. 1. Final judgment was entered against

Nerren on March 25, 2021, and he was ordered to pay a penalty of $37,500. ECF No. 4. Nerren paid in full.

On February 14, 2022, the Court established a Fair Fund, appointed Miller Kaplan Arase LLP as the Tax Administrator, and appointed Allison Moon, an SEC employee, as the Distribution Agent of the Fair Fund (the "Distribution Agent"). ECF No. 7. On November 9, 2022, the Court approved the SEC's proposed Distribution Plan, providing for distribution of the Fair Fund to the investors who were harmed by Defendant's alleged conduct. ECF No. 9.

On October 2, 2023, the Court ordered that $31,313.52 be disbursed to 16 harmed investors (ECF No. 11) according to a Payment File prepared by the Distribution Agent, a redacted copy of which was filed as Exhibit A to the SEC's Motion to Disburse the Fair Fund. ECF No. 10. The amount disbursed is equal to 3.07% of the investors' Recognized Loss of $1,020,000. By April 23, 2024, all 16 harmed investors successfully received their payments. As of July 8, 2026, the Fair Fund balance was $0. The Fair Fund account is currently an SEC-designated account at the United States Department of the Treasury.

II. FINAL ACCOUNTING AND ADDENDUM

Distribution of the Fair Fund is now complete. The SEC and Tax Administrator have prepared the Consolidated Final Accounting Report ("CFAR"), which the SEC submits to the Court for approval. Ex. A. The CFAR includes a final accounting of all monies received, earned, spent, and distributed in connection with the administration of the Fair Fund, except for the final invoice paid to the Tax Administrator. This final invoice payment is accounted for in the SEC's Addendum to the CFAR ("Addendum"). Ex. B.

As reflected in the CFAR and the Addendum, the Fair Fund consisted of a total of $37,500 in funds received from Defendant plus an additional $949.57 in investment interest earnings for total funds received of $38,449.57. The Distribution Agent successfully distributed $31,313.52 to the

harmed investors and oversaw the payment of $7,136.05 in fees, costs, and taxes, leaving a current balance of $0 in the Fair Fund. Ex. A, p. 1 of 8, and Ex. B.

III. AUTHORITY AND ARGUMENT

Pursuant to the Court-approved Distribution Plan, the Fair Fund shall be eligible for termination after all the following have occurred: (a) a final accounting, in a standard accounting format, has been approved by the Court; (b) all Administrative Costs have been paid; and (c) the Court has approved the Commission's recommendation as to the final disposition of the Residual. ECF No. 9, p. 10, ¶ 56. Here, there is no Residual to dispose of because the ending balance of the Fair Fund is $0. In addition, no funds will be returned to the Fair Fund in the future because the Defendant paid in full.

The foregoing conditions have been met, and the SEC respectfully requests that the Court: (1) approve the CFAR and Addendum included as Exhibits A and B to this Motion; (2) direct the Commission to transfer any funds returned to the Fair Fund in the future, to the general fund of the U.S. Treasury subject to Section 21F(g)(3) of the Exchange Act; (3) terminate the Fair Fund; and (4) discharge the Distribution Agent. A proposed order will be submitted with the SEC's Motion.

IV. CONCLUSION

WHEREFORE, the Commission respectfully requests that this Court enter the proposed order and grant such other relief as the Court deems just and proper.

Signed November 17, 2026.

Respectfully Submitted,



Allison J.P. Moon, Utah Bar No. 15204
Attorney for Plaintiff
Division of Enforcement
U.S. Securities and Exchange Commission
100 F Street NE
Washington, DC 20549-5631
Tel: (202) 551-3015
Email: moona@sec.gov

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2026, a copy of foregoing Plaintiff's Motion for an Order Approving the Final Accounting and Addendum, Terminating the Fair Fund, and Discharging the Distribution Agent was filed electronically and served by mail or email on anyone unable to accept electronic filing.

Signed November 17, 2026.

Allison J.P. Moon

CERTIFICATE OF CONFERENCE

I certify that counsel of the Commission conferred with Defendant by email, and Defendant stated on December 17, 2025, that he agrees to this motion to terminate the Fair Fund and transfer the residual funds to the U.S. Treasury.

Signed November 17, 2026.

Allison J.P. Moon

Exhibit A

Consolidated Final Accounting Report ("CFAR")

Consolidated Financial Accounting Report on the Cash Basis for SEC v Nerren Fair Fund

Table of Contents

Page 1	Consolidated Financial Accounting Report (CFAR)
Page 2	Exhibit A, Summary of Detail by Account Managers
Page 3	Exhibit B, OFM Detail by Account
Page 5	OFM's Tranche Information (Section E re: Distributions)
Page 6	Exhibit C, Tax Administrator's Detail by Account

Section	Line					
		CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for				
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**			
	2	**SEC Action Number**	**SEC-FW-04347-B**			
	3	**Case Number**	**4:20-cv-00965-ALM**			
		Period Covered in this Report:				
	4	**From 5/12/2021**				
	5	**To 8/31/2024**				
B		**Increases in Fund Balance**				
	1	Contributions/Deposits		$ 37,500.00		
	2	Investment/Interest Income		949.57		
	3	Other		-		
		Subtotal Funds Received			$	38,449.57
C		**Decreases in Fund Balance**				
	1	Gross Distributions to Claimants/Investors				
		Less Returned & Cancelled Checks		(31,313.52)		
		Distributions to Claimants/Investors, Net				(31,313.52)
		Payments to Other than Claimants/Investors:				
	2	Tax Administrator Fees and Expenses		(5,314.26)		
	3	Investment/Bank Fees		(0.89)		
		Income Tax Payments, Net of Refunds				
	4	Federal		-		
	5	District of Columbia/State		-		
	6	Other		-		
		Subtotal Disbursements				(5,315.15)
D		**Ending Balance**			$	**1,820.90**

SUMMARY OF DETAIL by ACCOUNTS by ACCOUNT MANAGERS for CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for

A 1 **DISTRIBUTION FUND** **SEC V NERREN FAIR FUND**
2 **SEC Action Number** **SEC-FW-04347-B**
3 **Case Number** **4:20-cv-00965-ALM**
Period Covered in this Report:
4 **From 5/12/2021**
5 **To 8/31/2024**

Section	Line		Court	OFM	Plan Admin.	Tax Admin.	Total
B		**Increases in Fund Balance**					
	1	Contributions/Deposits	-	37,500.00	-	-	37,500.00
	2	Investment/Interest Income	-	949.57	-	-	949.57
	3	Other	-	-	-	-	-
		Subtotal Funds Received	-	38,449.57	-	-	38,449.57
C		**Decreases in Fund Balance**					
	1	Distributions to Claimants/Investors, Net	-	(31,313.52)	-	-	(31,313.52)
		Payments to Other than Claimants/Investors:					
	2	Tax Administrator Fees and Expenses	-	(5,314.26)	-	-	(5,314.26)
	3	Investment/Bank Fees	-	(0.89)	-	-	(0.89)
		Income Tax Payments, Net of Refunds					
	4	Federal	-	-	-	-	-
	5	District of Columbia/State	-	-	-	-	-
	6	Other	-	-	-	-	-
		Subtotal Disbursements	-	(36,628.67)	-	-	(36,628.67)
Trf		**Transfers**					
	1	To Tax Administrator	-	-	-	-	-
	2	From Tax Administrator	-	-	-	-	-
	3	Between Accounts Held by Account Manager	-	-	-	-	-
	4	To OFM	-	-	-	-	-
	5	From OFM	-	-	-	-	-
		Subtotal Transfers	-	-	-	-	-
D		**Ending Balance**	**-**	**1,820.90**	**-**	**-**	**1,820.90**

E **Fund Information: Tranches from Inception**
See OFM's exhibit for detail information.

OFFICE OF MANAGEMENT DETAIL by ACCOUNT for
CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for

Section	Line		
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**
	2	**SEC Action Number**	**SEC-FW-04347-B**
	3	**AP File No. / Case Number**	**4:20-cv-00965-ALM**
		Period Covered in this Report:	
	4	**From**	**5/12/2021**
	5	**To**	**8/31/2024**

					BFS	OFM	
					Bureau Fiscal Services	Non-interest Bearing Deposit Fund Account	
					FW-04347-B		
		DESCRIPTION		DATE	AMOUNT	AMOUNT	TOTAL
B	1	CONTRIBUTIONS/DEPOSITS					
		Settlement		5/12/2021		25,000.00	25,000.00
		Settlement		5/12/2021		12,500.00	12,500.00
							-
		Total to Line B 1			-	37,500.00	37,500.00
B	2	INVESTMENT/INTEREST EARNINGS					
		Total Earnings Posted to Account Annual Total		2022	341.00		341.00
		Total Earnings Posted to Account Annual Total		2023	608.57		608.57
							-
		Total to Line B 2			949.57	-	949.57
B	3	OTHER INCREASES IN FUND BALANCE					
							-
		Total to Line B 3			-	-	-
C	1	DISBURSEMENTS TO INVESTORS					
		Disbursements to Investors, Net Paid by Year		2023		(31,313.52)	(31,313.52)
		Total to Line C 1			-	(31,313.52)	(31,313.52)

Section	Line		
		OFFICE OF MANAGEMENT DETAIL by ACCOUNT for	
		CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for	
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**
	2	**SEC Action Number**	**SEC-FW-04347-B**
	3	**AP File No. / Case Number**	**4:20-cv-00965-ALM**
		Period Covered in this Report:	
	4	**From**	**5/12/2021**
	5	**To**	**8/31/2024**

				BFS	OFM	
				Bureau Fiscal Services	Non-interest Bearing Deposit Fund Account	
				FW-04347-B		
		DESCRIPTION	DATE	AMOUNT	AMOUNT	TOTAL
C	2	TAX ADMINISTRATOR FEES & BONDS				
		Bonds:				
						-
		Total Bond Fees Paid		-	-	-
		Tax Administrator Fees:				
		Miller Kaplan Arase LLP Fees	2022		(1,135.16)	(1,135.16)
		Miller Kaplan Arase LLP Fees	2023		(2,164.90)	(2,164.90)
		Miller Kaplan Arase LLP Fees	2024		(2,014.20)	(2,014.20)
						-
		Total Tax Administrator Fees Paid		-	(5,314.26)	(5,314.26)
		Total to Line C 2		-	(5,314.26)	(5,314.26)
C	3	INVESTMENT EXPENSES including				
		BUREAU OF PUBLIC DEBT (BPD) FEES or				
		COURT REGISTRY INVESTMENT SYSTEM (CRIS) FEES				
		BFS Fees Paid; Funds Withdrawn	2022		(0.66)	(0.66)
		BFS Fees Paid; Funds Withdrawn	2023		(0.23)	(0.23)
						-
		Total to Line C 3		-	(0.89)	(0.89)
C	4	FEDERAL TAX (PAYMENTS) / REFUNDS				
						-
		Total to Line C 4		-	-	-
C	5	DISTRICT OF COLUMBIA (DC) & STATE TAX PAYMENTS				
						-
		Total to Line C 5		-	-	-
C	6	OTHER DECREASES IN FUND BALANCE				
						-
		Total to Line C 6		-	-	-

Section Line

OFFICE OF MANAGEMENT DETAIL by ACCOUNT for
CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for

A 1 **DISTRIBUTION FUND** **SEC V NERREN FAIR FUND**
2 **SEC Action Number** **SEC-FW-04347-B**
3 **AP File No. / Case Number** **4:20-cv-00965-ALM**
Period Covered in this Report:
4 **From** **5/12/2021**
5 **To** **8/31/2024**

			BFS	OFM	
			Bureau Fiscal Services	Non-interest Bearing Deposit Fund Account	
			FW-04347-B		
	DESCRIPTION	DATE	AMOUNT	AMOUNT	TOTAL
TRF	TRANSFERS BETWEEN ACCOUNTS				
1	To Tax Administrator:				
					-
	Total Transfers to Tax Administrator		-	-	-
2	From Tax Administrator:				
					-
	Total Transfers from Tax Administrator		-	-	-
3	Between Accounts Held by this Account Manager:				
	Funds Invested BFS	2/18/2022	37,440.00	(37,440.00)	-
	Funds Withdrawn BFS	12/7/2022	(1,076.00)	1,076.00	-
	Funds Withdrawn BFS	5/1/2023	(37,313.57)	37,313.57	-
					-
	Total Transfers Between Accounts Herein		(949.57)	949.57	-
	Total Transfers, Net		(949.57)	949.57	-

SUM SUMMARY and RECONCILIATION to ENDING ACCOUNT BALANCES

Total Increases	**Section B**	949.57	37,500.00	38,449.57
Less: Total Decreases	**Section C**	-	(36,628.67)	(36,628.67)
Total Transfers Between Accounts	**TRF**	(949.57)	949.57	-
Ending Balance		-	1,820.90	1,820.90

D Fund Information: Tranches from Inception

Distributions # Issued	Date	Gross Payments	Returned/Cancelled	Net Distributed
15	11/17/2023	31,313.52		31,313.52
				-
Total		31,313.52	-	31,313.52

E **Prepared by:**

1 Office of Financial Management, Enforcement Treasury Operations Branch
(entity name)

2 _____ Warren A. Lewis
(signature) (printed name)

3 Chief, Enforcement Treasury Operations Branch 6/30/2026
(title) (date)

Section	Line		
		TAX ADMINISTRATOR DETAIL by ACCOUNT for	
		CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for	
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**
	2	**SEC Action Number**	**SEC-FW-04347-B**
	3	**AP File No. / Case Number**	**4:20-cv-00965-ALM**
		Period Covered in this Report:	
	4	**From**	**5/12/2021**
	5	**To**	**8/31/2024**

				Miller Kaplan Arase LLP SEC Client Trust Account	
		DESCRIPTION	DATE	AMOUNT	TOTAL
B	1	CONTRIBUTIONS/DEPOSITS			
					-
		Total to Line B 1		-	-
B	2	INVESTMENT/INTEREST EARNINGS			
					-
		Total to Line B 2		-	-
B	3	OTHER INCREASES IN FUND BALANCE			
					-
		Total to Line B 3		-	-
C	1	DISBURSEMENTS TO INVESTORS			
					-
		Total to Line C 1		-	-
C	2	TAX ADMINISTRATOR FEES & BONDS			
		Bonds:			
					-
		Total Bond Fees Paid		-	-
		Tax Administrator Fees:			
					-
		Total Tax Administrator Fees Paid		-	-
		Total to Line C 2		-	-

Section	Line		
		TAX ADMINISTRATOR DETAIL by ACCOUNT for	
		CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for	
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**
	2	**SEC Action Number**	**SEC-FW-04347-B**
	3	**AP File No. / Case Number**	**4:20-cv-00965-ALM**
		Period Covered in this Report:	
	4	**From**	**5/12/2021**
	5	**To**	**8/31/2024**

				Miller Kaplan Arase LLP SEC Client Trust Account	
		DESCRIPTION	DATE	AMOUNT	TOTAL
C	3	INVESTMENT EXPENSES including			
		BUREAU OF PUBLIC DEBT (BPD) FEES or			
		COURT REGISTRY INVESTMENT SYSTEM (CRIS) FEES			
					-
		Total to Line C 3		-	-
C	4	FEDERAL TAX (PAYMENTS) / REFUNDS			
					-
		Total to Line C 4		-	-
C	5	DISTRICT OF COLUMBIA (DC) & STATE TAX PAYMENTS			
					-
		Total to Line C 5		-	-
C	6	OTHER DECREASES IN FUND BALANCE			
					-
		Total to Line C 6		-	-
TRF		TRANSFERS BETWEEN ACCOUNTS			
	1	Between Accounts Held by this Account Manager:			
					-
		Total Transfers Between Accounts Herein		-	-
	2	To OFM:			
					-
		Total Transfers to OFM		-	-
	3	From OFM:			
					-
		Total Transfers from OFM		-	-
		Total Transfers, Net		-	-

Section	Line		
		TAX ADMINISTRATOR DETAIL by ACCOUNT for	
		CONSOLIDATED FINAL ACCOUNTING REPORT on the CASH BASIS for	
A	1	**DISTRIBUTION FUND**	**SEC V NERREN FAIR FUND**
	2	**SEC Action Number**	**SEC-FW-04347-B**
	3	**AP File No. / Case Number**	**4:20-cv-00965-ALM**
		Period Covered in this Report:	
	4	**From**	**5/12/2021**
	5	**To**	**8/31/2024**

				Miller Kaplan Arase LLP SEC Client Trust Account	
		DESCRIPTION	DATE	AMOUNT	TOTAL
SUM		SUMMARY and RECONCILIATION to ENDING ACCOUNT BALANCES			
		Total Increases	**Section B**	-	-
		Less: Total Decreases	**Section C**	-	-
		Total Transfers Between Accounts	**TRF**	-	-
		Ending Balance		-	-

D **Prepared by:**

1 Miller Kaplan Arase LLP
(tax administrator)

2 _____ Nicholas A. Sanchez
(signature) (printed name)

3 Tax Administrator 1/29/25
(title) (date)

Exhibit B

SEC's Addendum to the CFAR

ADDENDUM TO THE CONSOLIDATED FINAL ACCOUNTNG REPORT
30 June 2026

TO: Division of Enforcement

FROM: Warren A. Lewis
Branch Chief, Enforcement Treasury Operations Branch
Office of Financial Management

SUBJECT: Addendum to the Final Accounting for SEC-FW-04347-B **SEC V NERREN FAIR FUND**

As requested, the Office of Financial Management (OFM) has completed the final accounting for the SEC V NERREN FAIR FUND. Based on OFM's records, we have identified a total cash balance in the amount of $0.00 as of 30 June 2026.

This balance reflects amounts presented in the Consolidated Final Accounting Report as of 31 August 2024 less the final invoice of $1,820.90 which has been paid to the Tax Administrator.

Disbursements made from sources other than the SEC V NERREN FAIR FUND are not incorporated in this addendum.

If you have any questions, please contact Lesleigh Craft at craftl@sec.gov.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

SECURITIES AND EXCHANGE COMMISSION, Plaintiff, v. DIKE BOONE NERREN, Defendant.	Case No. 4:20-CV-965 Honorable Amos L. Mazzant, III

[PROPOSED] ORDER APPROVING THE FINAL ACCOUNTING AND ADDENDUM, TERMINATING THE FAIR FUND, AND DISCHARGING THE DISTRIBUTION AGENT

The Court, having reviewed the U.S. Securities and Exchange Commission's Motion for an Order Approving the Final Accounting and Addendum, Terminating the Fair Fund, and Discharging the Distribution Agent (the "Motion"); the exhibits thereto, and for good cause shown,

IT IS HEREBY ORDERED that:

1. The Motion is **GRANTED**;
2. The Final Accounting and the Addendum attached as Exhibits A and B to the Motion are **APPROVED**;
3. The Fair Fund is **TERMINATED**; and
4. The Distribution Agent is **DISCHARGED**.