

checks from the First Distribution, interest and \$342,880.86 held in a Commission-designated fund in the U.S. Treasury.

Given the amount remaining in the Fair Fund, the Fund Administrator recommends a second distribution of the Fair Fund. Pursuant to the Plan, the second distribution will first compensate ten otherwise Eligible Claimants who filed late claims (“Late Payees”) and therefore did not receive a payment in the first distribution. Pursuant to paragraph 84 of the Plan, they will receive 4.9% of their Recognized Claim which is the amount they would have received had they made a timely claim. The total disbursement amount for these 10 payments is \$4,492.64.

The remaining \$6,410,413.82 will be distributed to 6,950 Eligible Claimants (including 7 of the Late Payees who will receive more than the \$10 minimum payment, as set forth in Plan). Each Eligible Claimant is scheduled to receive 0.373% of their Recognized Claim for their additional distribution payment. A total of \$6,414,906.46 will be distributed in the Second Distribution.

Pursuant to the Plan, the Fund Administrator has submitted a payment file to Commission staff with a reasonable assurances letter as to the completeness and accuracy of the information contained therein. The Commission staff has reviewed and accepted the payment file and requests, pursuant to Rule 1101(b)(6) of the Commission’s Rules, 17 C.F.R. § 201.1101(b)(6), that the Commission authorize: (1) the transfer of \$342,880.85 held in a Commission-designated fund in the U.S. Treasury to the Fair Fund’s escrow account at Huntington Bank; and (2) authorize the Fund Administrator to distribute a total of \$6,414,906.46 to harmed investors in accordance with the Plan.

Accordingly, it is hereby ORDERED that (1) the Commission staff shall transfer the \$342,880.86 held by the Commission to the Fair Fund’s escrow account; and (2) the Fund

Administrator shall distribute a total of \$6,414,906.46 to harmed investors, in accordance with the Plan.

For the Commission, by the Division of Enforcement, pursuant to delegated authority.³

Vanessa A. Countryman
Secretary

³ 17 C.F.R. § 200.30-4(a)(21)(v).