
The Plan provides that a Fair Fund consisting of $321,230,003 in disgorgement and civil penalties, plus any accrued interest, be transferred to Deutsche Bank to be distributed by the Fund Administrator to injured investors according to the methodology set forth in the Plan.1 The Plan provides that the Commission will arrange for distribution of the Fair Fund when a Payee List listing the payees with the identification information required to make the distribution has been received and accepted. The Payee List for the fifth tranche of distribution in the amount of $56,642,634.13 has been received and accepted.2

1 The $321,230,003 Fair Fund amount comprises the $250 million from the Alliance Settlement, the $70.38 million from the Calugar Settlement, and the total of $850,003 paid by Malone, Carifa and Laughlin, as described in the Order approving the Plan. See Exchange Act Rel. No. 57825.

Accordingly, it is ORDERED that the Commission staff shall transfer $56,642,634.13 of the Fair Fund to Deutsche Bank and the Fund Administrator shall distribute such monies to investors, as provided for in the Plan of Distribution.

For the Commission, by its Secretary, pursuant to delegated authority.

Elizabeth M. Murphy  
Secretary