

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 62200 / June 1, 2010

ADMINISTRATIVE PROCEEDING
File No. 3-12678

In the Matter of	:	
	:	
Haidar Capital Management, LLC,	:	ORDER APPROVING PLAN,
Haidar Capital Advisors, LLC, and	:	APPOINTING A FUND
Said N. Haidar,	:	ADMINISTRATOR, AND
	:	WAIVING BOND
	:	
Respondents.	:	
	:	

On July 6, 2007, the Commission entered an Order instituting settled administrative and cease-and-desist proceedings against Haidar Capital Management, LLC, Haidar Capital Advisors, LLC, and Said N. Haidar (collectively, “Respondents”) in this matter (“Order”). *In the Matter of Haidar Capital Management, LLC, et al.*, Admin. Proc. File No. 3-12678, Securities Act Release No. 8820 (July 6, 2007). In the Order, the Commission authorized the establishment of a Fair Fund, comprised of \$4,580,000 in disgorgement, interest, and penalties paid by Respondents, for distribution to mutual funds affected by certain market timing trading by Respondents. The Order provided that the Fair Fund was to be distributed pursuant to a distribution plan developed by an Independent Distribution Consultant (“IDC”). The Respondents retained Gordon J. Alexander as the IDC, who has developed a proposed distribution plan (the “Plan”) in consultation with the Division of Enforcement and Respondents.

On April 13, 2010, the Commission published a “Notice of Proposed Plan of Distribution and Opportunity for Comment” (“Notice”) pursuant to Rule 1103 of the Commission’s Rules on Fair Fund and Disgorgement Plans, 17 C.F. R. § 201.1103 (Exchange Act Release No. 61897). The Notice advised all interested parties that they may obtain a copy of the Plan from the Commission’s public website, or by requesting one from Stephen Webster, Assistant Regional Director, Fort Worth Regional Office.

The Notice also advised all persons desiring to comment on the Plan that they may submit their written comments no later than 30 days from the date of the Notice by sending them to the Office of the Secretary, by using the Commission’s Internet comment form, or by e-mailing rule-comments@sec.gov. The Commission received

no comments on the Plan, and no modification has been made to the Plan since the publication of the Notice.

The Plan provides for distribution of the Fair Fund to eligible mutual funds that were harmed by the actions of certain market timers that Respondents permitted to market time. The Plan describes the procedures to be used to identify the eligible mutual funds that will receive distributions. The Plan further describes the procedures to be used to calculate the amounts to be paid, and distributed to, the eligible mutual funds. Eligible mutual funds will not be required to make a claim or submit documentation to establish their eligibility.

The Plan also proposes Rust Consulting, Inc. as the Fund Administrator and sets forth, among other things, procedures for the administration of the Fair Fund, including a proposed timeframe for the termination of the Plan.

Rust Consulting, Inc. has not posted the bond generally required of third parties under Fair Fund Rule 1105(c). Pursuant to Rule 1105, the bond requirement may be waived for good cause shown. The Fair Fund will be held at the U.S. Department of the Treasury and will be disbursed by Treasury. All distributions in this matter will be made by the Treasury's Financial Management Service ("FMS") directly to the eligible mutual funds, with no handling of money by the Fund Administrator or any non-governmental entity. The payees, and the relative amounts to be paid by FMS to each, will have been reviewed and approved by the Commission prior to the distributions.

The staff requests that the Commission approve the Plan, appoint Rust Consulting, Inc. as the Fund Administrator, and waive the bond requirement of the Fund Administrator for the good cause shown in the Plan.

Accordingly, pursuant to Fair Fund Rule 1104, it is hereby ORDERED that the Plan is approved.

It is hereby FURTHER ORDERED, pursuant to Fair Fund Rules 1105(a) and (c) that Rust Consulting, Inc. is appointed as the Fund Administrator in accordance with the terms of the Plan and that the bond requirement is waived for good cause shown.

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

Elizabeth M. Murphy
Secretary