

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
BIOCHEMICS, INC., JOHN J. MASIZ,)
CRAIG MEDOFF and GREGORY S.)
KRONING,)
)
Defendants.)

Civil Action No. 12-12324-MLW

~~PROPOSED~~ *med*
**ORDER TO ESTABLISH A FAIR FUND AND DIRECT THE TRANSFER OF FUNDS TO
THE COURT-APPOINTED RECEIVER FOR DISTRIBUTION**

The Court, having reviewed Plaintiff Securities and Exchange Commission’s (the “Commission”) motion for the establishment of a Fair Fund under Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended, and to direct the transfer of funds to the court-appointed receiver for distribution, and for good cause shown,


IT IS HEREBY ORDERED:

1. The Motion is Granted and a Fair Fund is established (the “BioChemicals Fair Fund”), the body of which shall consist of funds currently held by the Commission at the U.S. Treasury under the case name designation “SEC vs. BioChemicals, et al” including accrued interest. Additional amounts which are collected or otherwise received by the Commission in connection with this matter will be added to the BioChemicals Fair Fund.
2. The Commission will seek to distribute the funds recovered and to be recovered to the injured investors. To accomplish this, the Commission is directed to transfer the current


balance of the Fair Fund in the amount of \$906,183.91, to the Court-appointed Receiver for distribution to the defrauded investors. The Commission is also directed to transfer any future funds collected in this action to the Court-appointed Receiver in this matter for distribution to the defrauded investors.

3. Any distribution to be conducted by the Receiver will remain under this Court's jurisdiction and in accordance with a Court-approved distribution plan and pursuant to further order by the Court. *

Dated: January 6, 2021


UNITED STATES DISTRICT JUDGE

* 4. The Receiver shall, as promptly as possible, prepare a distribution plan, and the Commission shall, within 10 days thereafter, report its view on whether the proposed plan is equitable and should be approved by the court.


1/6/21