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Administrator of the Estate of
Donald Matthew Greth)**

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEW JERSEY**

	:	
SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
Plaintiff,	:	05-CV-5040 (RMB)
	:	
v.	:	
THE ESTATE OF DONALD	:	Order Directing Turnover
MATTHEW GRETH, David J.	:	of Assets and Authorizing
Greth, Administrator, et al.	:	Additional Distribution
Defendants.	:	
	:	

Upon motion by Plaintiff Securities and Exchange Commission (“SEC”) for an Order directing Wells Fargo Bank, N.A. (“Wells Fargo”) to turn over certain assets of Donald Matthew Greth to the SEC (the “Fund”), and authorizing the distribution of the Fund to harmed investors pursuant to the previously approved

Final Plan of Distribution (the “Final Plan”) (Dkt. No. 63), procedurally adjusted to maximize the amount disbursed to those harmed investors;

And the Administrator of the Estate of the Donald Matthew Greth (the “Administrator”) having no objection to the relief requested by the SEC; and

And the Court having considered the SEC’s motion (the “Motion”) and any responses filed in connection with the Motion:

IT IS HEREBY ORDERED that the SEC’s Motion is GRANTED.

1. *No earlier than* January 2, 2018 *and no later than* five (5) business days after the entry of this Order, Wells Fargo Bank, NA (“Wells Fargo”) shall turn over all assets in account number [REDACTED] 7517 to the SEC. Wells Fargo shall do this by check made payable to the SEC, delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

The check shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; specifying that payment is made pursuant to this Order; and enclosing a copy of this Order.

2. The SEC is authorize to distribute the Fund in accordance with the Final Plan, adjusted as follows:

a. All references to Damasco & Associates LLP are replaced by Miller Kaplan Arase LLP pursuant to the Order of this Court (Dkt. No. 70);

- b. The Distribution Agent's contact information is revised to:

Catherine E. Pappas, Esq.
Senior Adviser
Securities and Exchange Commission
1617 JFK Blvd., Ste. 520
Philadelphia, Pa. 19103

- c. The Tax Administrator's contact information is revised to:

Jude Damasco
judedamasco@millerkaplan.com
Miller Kaplan Arase LLP
Two Embarcadero Center, Suite 2280
San Francisco, CA 94111

- d. The Fund shall be held by the SEC. All references to the CRIS account are revised to an SEC Account, and all references to the Clerk shall be references to the SEC. By way of mechanics of the additional distribution, the Distribution Agent will provide to the SEC's Office of Financial Management ("OFM") a file containing the names, addresses and amounts to be disbursed to Eligible Investors upon which the OFM will cause checks to be issued to the Eligible Investors in the amounts of their pro rata distribution under the Final Plan;
- e. In order to minimize tax related fees, which will increase if the distribution continues over multiple calendar years, the SEC intends to complete the distribution within calendar year 2018. To this end, the Plan is amended as follows:

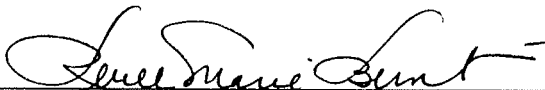
- i. any Eligible Investor who cannot be located by the Distribution Agent *prior to* distribution through the use of “reasonable efforts” as defined in the Final Plan shall be disallowed to receive a distribution payment and that investor’s *pro rata* share shall be returned to the Fund;
- ii. Subject to iii., below, any Eligible Investor whose check is returned or remains uncashed beyond its expiration date and who cannot be located by the Distribution Agent through the use of “reasonable efforts” as defined in the Final Plan in sufficient time for a replacement check to be issued by December 31, 2018, shall not be reissued.
- iii. The Distribution Agent is under no obligation to cause to be re-sent, redelivered, or reissued returned checks mailed to a last known address or checks that remain uncashed beyond the check expiration date. No checks shall be issued (or reissued) after December 31, 2018. After completion of the contemplated distribution and payment of all Fund Expenses, the Distribution Agent, without further Order of the Court, will notify OFM and direct all remaining money in the Fund, including any amounts returned to the Fund or uncashed by Eligible Investors, to the

United States Treasury;

f. Fund Expenses are adjusted as follows:

Dates incurred	Payee	Description	Amount
2018	Miller Kaplan	Tax Administrator fees	\$500
2018	Miller Kaplan	Non-fixed fee expenses and services	\$200
2018	NJ Division of Taxation	Taxes	\$500
Total			\$1,200

SO ORDERED, this 21st day of December 2017,



 The Honorable Renee Marie Bumb
 United States District Court Judge