

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES SECURITIES AND)	
EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	Case No. 1:11-cv-08803
v.)	
)	
MARCIN MALARZ, ET AL,)	
)	
Defendants.)	

ORDER TO DISBURSE FROZEN FUNDS

This case is before the Court upon Plaintiff-Judgment Creditor’s, United States Securities and Exchange Commission (“Commission”), Motion for an Order to Disburse Frozen Funds (ECF No. 45), and the record as a whole. Having considered the Commission’s Motion, this Court finds as follows:

1. This Court has jurisdiction over the subject matter of the action and over the Relief Defendant-Judgment Debtor, Gloria Lin (“Judgment Debtor” or “Lin”).

2. The record establishes that on January 24, 2012, this Court entered a final judgment in favor of the Commission and against the Judgment Debtor for disgorgement and prejudgment interest in the total amount of \$485,583, but waived the payment of all but \$158,240 based on her sworn representations in her Statement of Financial Condition. (ECF No. 9).

3. On November 7, 2017, the Commission filed three Third-Party Citations to Discover Assets (collectively, the “Citations”) directed to Hoffman Estates Community Bank (“Hoffman”), TCF Bank (“TCF”), and Anthony U. and Eunice N. Agboifoh (the “Agboifohs”),

respectively (collectively, the “Respondents”).

4. On November 13, 2017, the Clerk of this Court issued the Commission’s Citations.

5. The Respondents answered their respective Citations and all stated that they were in possession or control of property in which Lin had an interest. Copies of the Respondents’ answers were served on the Judgment Debtor on December 26, 2017. (ECF No. 43).

6. The Judgment Debtor has not filed any objection, claim of exemption or any other response to the Commission’s Citations.

Now, therefore,

IT IS HEREBY ORDERED that the Motion for an Order to Disburse Frozen Funds is **GRANTED**.

IT IS HEREBY FURTHER ORDERED that the Respondents, Hoffman Estates Community Bank, TCF Bank, and Anthony U. and Eunice N. Agboifoh, shall pay the funds presently held that are owned or owed to Gloria Lin to the Commission, which shall be delivered or mailed to

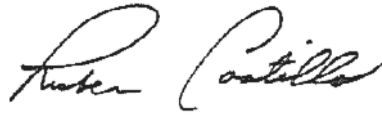
Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169,

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Gloria Lin as a defendant in this action; and specifying that payment is made pursuant to this the Final Judgment entered in this matter.

IT IS HEREBY FURTHER ORDERED that Respondents, Anthony U. and Eunice N. Agboifoh, shall remit their monthly rent to the Commission in the same method stated above for the remainder of their lease term or until Lin’s Judgment

is paid in full, whichever occurs first.

Dated: February 20, 2018

A handwritten signature in black ink, appearing to read "Ruben Castillo". The signature is written in a cursive style with a large initial "R" and "C".

Chief Judge Ruben Castillo
United States District Court