

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**GARRETT O'ROURKE and  
MICHAEL J. BLACK,**

**Defendants.**

**Case No.: 19-CV-4137 (KAM)**

**NOTICE BY THE SECURITIES AND EXCHANGE  
COMMISSION OF NO OBJECTION PURSUANT TO  
SECTION III OF ECF NO. 92, ORDER TO SHOW CAUSE**

Pursuant to Section III of the Order to Show Cause entered by this Court (ECF No. 92), Plaintiff Securities and Exchange Commission ("SEC") hereby notifies the Court that, as of the day of this filing, it has received no objections to the proposed distribution plan (the "Plan", attached to the accompanying proposed Order Approving Distribution Plan). The SEC further confirms that the Plan and the Order to Show Cause have been published in accordance with Section I of that Order. Accordingly, and for the reasons set forth in the attached Memorandum of Law, the SEC respectfully requests that the Court enter the accompanying proposed Order approving the Plan.

Prior to submitting this filing, the SEC informed counsel for the defendants of its intent to make this filing and the substance of the filing. Counsel for the defendants have informed the SEC that they have no objection to the entry of the proposed order approving the distribution plan.

Dated: May 20, 2021

Respectfully submitted,

s/ Catherine E. Pappas

Catherine E. Pappas

Admitted Pro Hac Vice, ECF Nos. 82, 86

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Exchange Commission*

Att: Memorandum in Support

**CERTIFICATE OF SERVICE**

I hereby certify that, on May 20, 2021, a true and correct copy of the Notice by the Securities and Exchange Commission of No Objection Pursuant to Section III of ECF No. 92, Order to Show Cause, and related documents, were filed through the Court's CM/ECF system, and accordingly, the document will be sent electronically to counsel for the defendants, both of whom are participants registered to receive electronic notice in this case.

s/ Catherine E. Pappas  
Catherine E. Pappas

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**(Proposed) Order Approving Distribution Plan**

The steps set forth in the Order to Show Cause (ECF No. 92) relating to investor notice of the proposed distribution plan having been completed;

**AND**, pursuant to the Order to Show Cause, the SEC having filed a Notice informing the Court that no objections to the proposed plan have been submitted as of the date of that Notice, and that the Plan and the Order to Show Cause have been published in accordance with Section I of that Order;

**AND** having considered all arguments presented and for good cause shown;

**IT IS HEREBY ORDERED** that:

1. The proposed (attached) plan is hereby approved (the "Distribution Plan"); and
2. The Distribution Plan shall govern the administration and distribution of collections in this matter.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Kiyoo A. Matsumoto  
U.S. District Judge

Attachment: Approved Plan