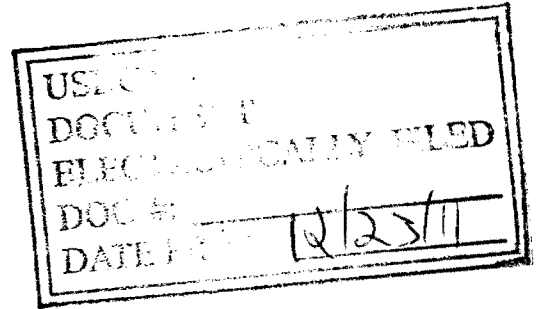


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
SECURITIES AND EXCHANGE COMMISSION, :
 :
Plaintiff, :
 :
-v- :
 :
GALLEON MANAGEMENT, LP, et al., :
 :
Defendants. :
----- x

09 Civ. 8811 (JSR)

ORDER



JED S. RAKOFF, U.S.D.J.

On June 28, 2011, the Court entered a Consent Order and Judgment as to defendant David Plate, ordering permanent injunctive relief, disgorgement, and prejudgment interest. The Consent Order and Judgment, however, provided that the Court would determine at a later date whether it would impose civil penalties against defendant Plate, and if so, to what extent. On December 19, 2011, the Court received the attached letter from the Securities and Exchange Commission, requesting this Court terminate this action against defendant Plate without imposing civil penalties. The Court agrees. Accordingly, for the reasons stated in the attached letter, the Court hereby terminates this action with respect to defendant Plate.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
December 23, 2011



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
3 WORLD FINANCIAL CENTER
ROOM 400
NEW YORK, NEW YORK 10281-1022

December 19, 2011

Via Facsimile

The Honorable Jed S. Rakoff
United States District Judge
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *SEC v. Galleon Mgmt., LP, et al.*; 09 Civ. 8811 (JSR)

Dear Judge Rakoff:

In accordance with Your Honor's Individual Rule of Practice 1, and with prior permission of the Court, counsel for the Commission submits this letter concerning defendant David Plate. On June 28, 2011, the Court entered a Consent Order and Judgment as to Defendant David Plate, ordering permanent injunctive relief, disgorgement, and prejudgment interest. The order provided that the Court would determine at a later date whether, and to what extent, civil penalties were appropriate. At the time the parties submitted the settlement for the Court's approval, they agreed that a deferral of the decision whether to impose a civil penalty was warranted, so that Mr. Plate's cooperation with the Commission and with the USAO could be taken into consideration in the determination whether and to what extent civil penalties were appropriate.

Since that time, Mr. Plate's cooperation with the Commission has been continuing and he now has been sentenced in a parallel criminal action. Specifically, on November 2, 2011, The Honorable Richard J. Sullivan sentenced Mr. Plate to a term of six-month's home confinement, three years' probation, and forfeiture of \$289,000. Judge Sullivan found that Mr. Plate did not have the ability to pay a criminal fine.

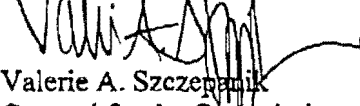
In connection with the sentencing, the USAO submitted a letter, pursuant to Section 5K1.1 of the Sentencing Guidelines, describing Mr. Plate's cooperation with the USAO, to which Judge Sullivan referred. Judge Sullivan remarked that he agreed with the Government's position that Mr. Plate's cooperation was "very substantial" and also noted that Mr. Plate was "a very important witness at the trial" against Zvi Goffer and others. Judge Sullivan stated, "I think there was no witness who was more important than [Mr. Plate] among the cooperating

The Honorable Jed S. Rakoff
12/19/2011
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witnesses." The Judge also found that Mr. Plate was "least culpable" among the cooperating witnesses in that case.

Based on the forgoing, the Commission believes that further punitive sanctions in the form of a civil penalty are not necessary under these circumstances to further the Commission's goals. The Commission respectfully requests that Your Honor terminate this matter with respect to Mr. Plate without imposing civil penalties. Counsel for Mr. Plate, Roland G. Riopelle, Esq., has informed the undersigned that he agrees with the contents of this letter and joins in the Commission's request. The parties remain available for a conference should the Court have any further questions.

Respectfully submitted,



Valerie A. Szczepaniak
Counsel for the Commission

cc: Roland G. Riopelle, Esq. (by email)