

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

SECURITIES AND EXCHANGE )  
COMMISSION, )

Plaintiff, )

v. )

KEVIN B. MERRILL, et al., )

Defendants. )

Case No.: 1:18-cv-02844-RDB

**ORDER GRANTING RECEIVER GREGORY S. MILLIGAN'S MOTION FOR AN ORDER  
APPROVING A SECOND INTERIM DISTRIBUTION**

This matter is before the Court on the Motion for an Order Approving a Second Interim Distribution filed by the Receiver Gregory S. Milligan (Dkt. 801) (the "Motion"). The Court, having considered the Motion and the information submitted in support, responses or objections, if any, the arguments of counsel, and the pleadings on file, finds that the Motion should be, and hereby is, GRANTED.

IT IS THEREFORE ORDERED that:

1. The Motion is GRANTED in its entirety.
2. The Receiver is authorized to make an interim distribution of \$20,000,000.00 to allowed Class 4 Claimants in accordance with the approved distribution plan (*see* Dkt. Nos. 504 & 687) (the "Distribution Plan") pursuant to the rising tide methodology and in the amounts specified for each Claimant in Exhibit A to the Motion.
3. To be eligible for the distribution payment, each allowed Class 4 Claimant must provide, or have previously provided, the Receiver with a completed and signed W-9, found at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>. The allowed Claimant shall have 90 days from the date the distribution check is issued to negotiate the payment. To the extent the distribution payment is

not negotiated within 90 days from the date of the check, such check shall be canceled, and the underlying funds will remain to the Receivership Estate for distribution to other allowed Claimants in this SEC Action pursuant to the priority established by the Distribution Plan or as otherwise ordered by this Court.

4. The Receiver shall continue to reserve sufficient assets to ensure the payment of allowed Class 1, 2, and 3 Claimants.

IT IS SO ORDERED, this 2nd day of December, 2024.

/x/

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HON. RICHARD D. BENNETT  
UNITED STATES DISTRICT JUDGE