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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**

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9 United States Securities and Exchange  
Commission,

10 Plaintiff,

11 v.

12 Robert D. Poirier,

13 Defendant.  
14

No. CV-96-02243-PHX-JAT

15 **ORDER**

16 The Court, having reviewed the Securities and Exchange Commission's ("SEC" or  
17 "Commission") Unopposed Motion to Pay Final Fees and Expenses of the Tax  
18 Administrator and Distribution Agent, Approve Final Accounting, Disburse Funds to  
19 Investors, Transfer Remaining Funds to Commission for Final Payment of Fees and  
20 Expenses and Transfer to the U.S. Treasury, Discharge the Distribution Agent and  
21 Terminate the Fair Fund and its accompanying attachments, and for good cause shown,

22 **IT IS HEREBY ORDERED:**

- 23 1. The Motion (Doc. 404) is granted.
- 24 2. The final accounting is approved.
- 25 3. The Clerk of the Court ("Clerk") shall issue a check from the funds held by the  
26 Court under the case name designation *SEC v. Robert D. Poirier, et al.*, Case  
27 No. CV 96-2243-PHX-JAT for the amount of \$4,245.68 payable to Damasco  
28 & Associates LLP, for the payment of fees and expenses of the Tax

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Administrator. The check shall contain the notation “SEC v. Poirier, Inv. 5305.” The Clerk shall send the check by mail to:

Damasco & Associates LLP  
700 Monte Vista Lane  
Half Moon Bay, CA 94019

4. The Clerk shall issue a check from the funds held by the Court under the case name designation *SEC v. Robert D. Poirier, et al.*, Case No. CV 96-2243-PHX-JAT for the amount of \$21,949.46 payable to Simon Consulting, LLC, for the payment of fees and expenses of the Distribution Agent. The check shall contain the notation “SEC v. Poirier, Inv. 16614.” The Clerk shall send the check to:

Simon Consulting, LLC  
3200 North Central Ave., Suite 2460  
Phoenix, AZ 85012

5. The Clerk of the Court shall issue six checks on the CRIS account established under the case name designation *SEC v. Robert D. Poirier, et al.*, Case No. CV 96-2243-PHX-JAT as follows:

<b>PAYEE</b>	<b>AMOUNT</b>
Joseph M. & Cheryl L. Hilbe	\$46,995.74
Timothy B. Bullard	\$10,533.77
Terrance M. Bushard	\$ 4,759.18
Darrel D. Mack	\$ 1,793.57
Peter Olson	\$ 1,036.16

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James E. Urban

\$22,923.52

The SEC shall provide the Clerk of the Court with the addresses where the checks shall be mailed.

6. After the checks referred to in paragraphs 3 to 5, *supra*, have been issued, and the Commission staff has confirmed with the Clerk that these checks have been negotiated, the Clerk shall transfer any remaining funds, and any future funds received in this matter, less any applicable court fees, by check payable to the Securities and Exchange Commission. The check shall contain the notation “SEC v. Poirier, Case No. 96-cv-2243.” The Clerk shall send the check to:

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

7. Commission staff is authorized to approve invoices and pay any remaining taxes, and fees and expenses of the Tax Administrator and Distribution Agent without further order from the Court.
8. Upon payment of all remaining taxes, fees and expenses, the Commission shall remit all remaining funds in this matter to the U.S. Treasury.
9. Upon transfer of the remaining funds to the U.S. Treasury, the Distribution Agent is discharged and the Fair Fund is terminated.

Dated this 17th day of September, 2015.

  
James A. Teilborg  
Senior United States District Judge