

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
v.)	Case No. CV-03-2729 (MMC)
)	
TERRY W. DAVIS)	
)	
Defendant.)	
)	

**ORDER GRANTING MOTION TO
TRANSFER FUNDS TO THE McAFEE FAIR FUND**

The Court having reviewed the Securities and Exchange Commission’s Unopposed Motion to Transfer Funds to the McAfee Fair Fund, and for good cause shown,

IT IS HEREBY ORDERED:

1. The Clerk of the Court is directed to transfer all of the funds contained in the Court Registry Investment System (“CRIS”) in this action into the CRIS account number CV-06-0009 (PJH) under the case name designation “SEC v. McAfee, Inc.” (the “McAfee Fair Fund”).
2. The Clerk of the Court is directed to accept any additional payments from Terry W. Davis directly into the McAfee Fair Fund. The Clerk shall coordinate with Commission counsel (Lawrence C. Renbaum, 202-551-4775, RenbaumL@sec.gov) and representatives of Terry W. Davis to ensure the funds are properly added to the Court Registry account noted above.
3. The funds transferred into the McAfee Fair Fund pursuant to this Order will be added to and become a part of the distribution fund for the benefit of investors harmed by the violations alleged in the Commission’s complaint in SEC v. McAfee, Inc., CV-06-0009 (PJH),

1 who are the same investors harmed by the violations alleged in the Commission's complaint in
2 this action.

3 4. The funds transferred into the McAfee Fair Fund pursuant to this Order, minus
4 any appropriate expenses incurred in establishing, maintaining, and distributing the McAfee Fair
5 Fund, including, but not limited to, the Distribution Agent's fees and expenses, as well as other
6 administrative fees, taxes, and other costs, shall be distributed pursuant to the Distribution Plan
7 approved by the Court in SEC v. McAfee, CV-06-0009 (PJH) in its Order dated March 3, 2009,
8 consistent with, and pursuant to all orders of that Court pertaining to such distribution.

9
10 **SO ORDERED.**

11
12 Dated: January 11, 2010

13
14 
15 UNITED STATES DISTRICT JUDGE