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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

No. C 07-02822 WHA

Plaintiff,

v.

MERCURY INTERACTIVE, LLC, *et al.*,

**ORDER RE MOTION TO
DISBURSE FUNDS TO THE
UNITED STATES TREASURY**

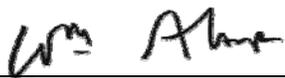
Defendants.

On March 21, the Securities and Exchange Commission filed a motion to disburse disgorged funds and interest — including those held in the Court Registry Account for this action — to the United States Treasury (Dkt. Nos. 373, 374). As the motion states that no hearing is requested, the undersigned judge construes the motion as one for administrative relief. Civil Local Rule 7-11 therefore requires that any opposition to or support for the motion be filed by March 25. To date, no such opposition or support has been received.

Nonetheless, defendants are permitted to respond to the Commission's motion, should they choose to do so. This response must be filed by **4 PM ON MARCH 28**. Please note that failure to oppose may result in the motion being granted, in light of the undersigned judge's "broad discretion in determining the disposition of the disgorged funds." *S.E.C. v. First Pac. Bancorp*, 142 F.3d 1186, 1192 (9th Cir. 1998).

IT IS SO ORDERED.

Dated: March 26, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE