

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

ALEXANDER JAMES TRABULSE,

Defendant.

and

FAHEY FUND, L.P., FAHEY FINANCIAL
GROUP, INC., INTERNATIONAL TRADE &
DATA, and ITD TRADING,

Relief Defendants.

Case No. C 07-4975 (WHA)

**STIPULATION AND PROPOSED ORDER
RE REPORTS TO SECURITIES AND
EXCHANGE COMMISSION**

Dept: Courtroom 9, 19th Floor
Judge: Hon. William Alsup

Date Action Filed: September 26, 2007

WHEREAS, Plaintiff Securities and Exchange Commission ("Commission") filed a complaint against Defendant Alexander James Trabulse ("Trabulse") and Relief Defendants Fahey Fund, L.P., Fahey Financial Group, Inc., International Trade & Data, and ITD Trading (collectively, the "Relief Defendants"); and

WHEREAS, on October 18, 2007 the parties agreed to certain preliminary injunctive relief and filed a stipulation with this Court memorializing that agreement; and

1 WHEREAS, Paragraph VI of that stipulation said: "Defendant shall provide to the
2 Commission's counsel, within fifteen (15) business days after the end of each calendar month, a
3 sworn accounting of all funds or assets transferred out of any bank or brokerage account" (the
4 "Paragraph VI Requirement"); and

5 WHEREAS, the Court signed the stipulation on October 29, 2007; and

6 WHEREAS, Defendants complied with the terms of the stipulation, including the
7 Paragraph VI Requirement; and

8 WHEREAS, the parties entered into a stipulated Judgment on April 4, 2008, which the
9 Court signed on April 7, 2008; and

10 WHEREAS, Defendants have represented that they have transferred the funds and assets
11 described in Paragraph VI of the October 18 stipulation to the control of a Court-appointed
12 Monitor and the Monitor has confirmed receipt of the transferred funds; and

13 WHEREAS, Defendants represent that they no longer have control of any asset that would
14 necessitate a Paragraph VI Report and there is thus no longer any need for a monthly Paragraph VI
15 Report; and

16 WHEREAS, the Commission, based on Defendants' representations and the Monitor's
17 accounting and report, believes that no purpose would be served by Defendants' continued
18 reporting,

19 **IT IS THEREFORE STIPULATED THAT**

20 Defendants are no longer required to provide Paragraph VI Reports to the Commission.

21 **IT IS SO STIPULATED:**

22 Dated: December 3, 2008

KEKER & VAN NEST, LLP

23
24
25
26
27
28

By: /s/ Michael D. Celio
MICHAEL D. CELIO
Attorneys for Defendants
ALEXANDER JAMES TRABULSE, FAHEY
FUND, L.P., FAHEY FINANCIAL GROUP, INC.,
INTERNATIONAL TRADE & DATA, and ITD
TRADING

1 Dated: December 3, 2008

SECURITIES AND EXCHANGE COMMISSION

2

3

By: Concurrence obtained per General Order 45 X.B.

4

MARK P. FICKES

ERIN E. SCHNEIDER

Attorneys for Plaintiff

5

SECURITIES AND EXCHANGE COMMISSION

6

7

The Court, having considered this proposed stipulation and order, adopts as its order the

8

provisions above.

9

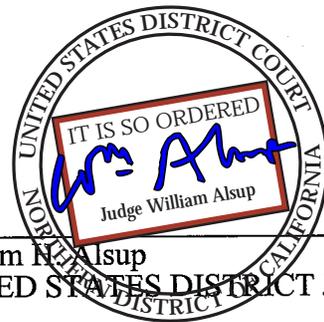
IT IS SO ORDERED.

10

Dated: December 4, 2008

11

12



13

William N. Alsup
UNITED STATES DISTRICT JUDGE

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28