

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION

4  
5 SECURITIES AND EXCHANGE COMMISSION,

6 Plaintiff,

7 vs.

8 CHARLES SCHWAB INVESTMENT  
9 MANAGEMENT, CHARLES SCHWAB & CO.,  
INC., AND SCHWAB INVESTMENTS,

10 Defendants.

Case No. C 11-00136 WHA

11  
12  
13 **~~PROPOSED~~ ORDER APPOINTING DISTRIBUTION AGENT AND  
ESTABLISHING A FAIR FUND**

14 The Court having reviewed the Securities and Exchange Commission's Unopposed  
15 Motion For Appointment of Distribution Agent and For Establishment of Fair Fund, and for  
16 good cause shown,

17 **IT IS HEREBY ORDERED:**

18  
19 1. A Fair Fund is created pursuant to Section 308(a) of the Sarbanes Oxley Act of  
20 2002 from the funds deposited in an interest-bearing account, account number 11-cv-00136,  
21 under the case name designation "SEC v. Charles Schwab Investment Management, et al.,"  
22 plus interest earned on these funds, minus any fees that are permitted to be deducted by the  
23 Clerk of the Court pursuant to the Final Judgment entered in this case; and  
24

1           2.       Gilardi & Co., LLC is appointed to serve as the Distribution Agent for the Fair  
2 Fund.

3 Dated: April 4, 2011.

4  
5   
6 \_\_\_\_\_  
7 JUDGE WILLIAM ALSUP  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24