

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

4 SECURITIES AND EXCHANGE COMMISSION,

Case No. CV-11-00136 WHA

5 Plaintiff,

6 vs.

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

10 Defendants.

**STIPULATION AND ~~PROPOSED~~  
AMENDED ORDER APPROVING  
THE FINAL ACCOUNTING,  
TRANSFERRING FUNDS TO THE  
SECURITIES AND EXCHANGE  
COMMISSION, DISCHARGING  
THE DISTRIBUTION AGENT, AND  
TERMINATING THE  
DISTRIBUTION FUND**

11 WHEREAS, on October 11, 2016, the Court, approved the Securities and Exchange  
12 Commission's ("Commission") Order Approving the Final Accounting, Transferring Funds to  
13 the United States Treasury, Discharging the Distribution Agent, and Terminating the  
14 Distribution Fund ("Order") (Dkt. 94);

15 WHEREAS, it was deemed further clarification of the Order is needed;

16 THE PARTIES HEREBY STIPULATE AND AGREE, subject to the Court's approval,  
17 that the Order is amended to the following:

18 1. The final accounting is approved;

19 2. The Court shall transfer the remaining funds in the Court Registry Investment  
20 System account number 11-cv-00136, under the case name designation "*SEC v. Charles*  
21 *Schwab Investment Management, et al.*" in the amount of \$39.96 plus accrued earned interest to  
22 the Commission c/o Enterprise Services Center, Accounts Receivable Branch, 6500 South  
23 MacArthur Blvd, HQ Bldg., Room 181, AMZ-341, Oklahoma City, OK 73169;

24 3. The Commission is authorized to transfer all remaining funds, and any future  
25 funds that may be received, in this matter to the United States Treasury once the remaining tax  
26 obligations are paid; and,

1           4.     Upon transfer of the remaining funds to the United States Treasury, the  
2 Distribution Agent is discharged and the Distribution Fund is terminated.  
3 IT IS SO STIPULATED.

4  
5     Dated: November 18, 2016

UNITED STATES SECURITIES AND EXCHANGE  
COMMISSION

6           By: /s/ David J. Gottesman


7                     DAVID J. GOTTESMAN  
8                     FRED BLOCK  
9                     MELISSA HODGMAN

10           CHARLES SCHWAB INVESTMENT  
11           MANAGEMENT, CHARLES SCHWAB & CO.,  
12           INC., AND SCHWAB INVESTMENTS

13           By: 

14     **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

15     Dated: December 5, 2016.

16                       
17                     The Honorable William Alsup  
18                     United States District Judge