

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 03-80612-CIV-MARRA/JOHNSON

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MICHAEL LAUER et al.,

Defendants,

and

LANCER OFFSHORE, INC., et al.,

Relief Defendants.

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**ORDER AFFIRMING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

THIS CAUSE is before the undersigned on the Eighth Interim Application for Compensation and Reimbursement of Expenses of Richard E. Johnston and Fasken Martineau Dumoulin LLP, as special Canadian Counsel for the Receivership Entities (Eighth Application) (DE 2226). This Eighth Application covers a period from May 1, 2008, through December 31, 2008, seeking fees in the amount of \$18,979.60 CAD (Canadian dollars) and expenses of \$347.98 CAD. The applicants also seek payment of a holdback amount of \$229.61 CAD which was withheld from their Sixth Application in this matter.

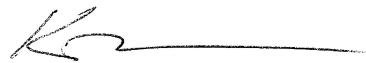
THIS MATTER was referred to the Honorable Linnea R. Johnson, United States Magistrate Judge, Southern District of Florida. A Report and Recommendation, dated March 10, 2009 [DE 2235] has been filed, recommending that

1. The Eighth Application (DE 2226) be GRANTED; and
2. An order be entered allowing payment of a total of \$19,557.19 CAD, represented by the following amounts:
 - a. Fees of \$18,979.60 CAD and expenses of \$347.98 CAD;
 - b. Disbursement of \$229.61 CAD representing monies held back in connection with the applicants' Sixth Application.

No objections to the Report and Recommendation have been filed and the time period for doing so has expired. Accordingly, upon a *de novo* review of the entire file and record herein, it is hereby

ORDERED AND ADJUDGED that United States Magistrate Judge Johnson's Report and Recommendation [DE 2235] be, and the same is RATIFIED, AFFIRMED and APPROVED in its entirety. The Receiver is directed to pay the compensation as detailed above.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this 8th day of June, 2009.



KENNETH A. MARRA
United States District Judge

copies to:
All counsel of record
Magistrate Judge Linnea R. Johnson