

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES SECURITIES AND)	
EXCHANGE COMMISSION,)	
)	
Plaintiff,)	Case No. 07 C 4483
)	
v.)	Hon. James B. Zagel
)	
THOMAS FISHER,)	Magistrate Judge
KATHLEEN HALLORAN)	Maria Valdez
AND GEORGE BEHRENS,)	
)	
Defendants.)	
_____)	

**AGREED MOTION FOR ENTRY OF FINAL JUDGMENT
AS TO DEFENDANT THOMAS FISHER**

Plaintiff United States Securities and Exchange Commission (“SEC”), pursuant to the Consent of Defendant Thomas Fisher, attached as Exhibit 1 hereto, respectfully moves this Court for the entry of final judgment as to Thomas Fisher (“Fisher”). In support of this Motion, the SEC states as follows:

1. The Commission initiated this action against Defendants Fisher, Kathleen Halloran, and George Behrens (collectively, “Defendants”) on August 9, 2007 and filed an Amended Complaint on February 25, 2008.
2. The Amended Complaint asserts four counts against Fisher. Counts I and II allege violations of Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5], and Section 17(a)(1) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77q(a)(1)], respectively. Count III alleges violations of Sections 17(a)(2) and 17(a)(3) of the Securities Act [15 U.S.C. §§

77q(a)(2) and 77q(a)(3)]. Count IV alleges that Defendants aided and abetted Nicor's violations of Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)] and Rules 12b-20, 13a-1 and 13a-13 thereunder [17 C.F.R. §§ 240.12b-20, 240.13a-1, and 240.13a-13].

3. As the SEC previously reported to the Court at the status hearing on May 15, 2010, the SEC and Fisher have reached a settlement agreement pursuant to which Fisher has consented to the entry of an order of final judgment in the form attached to Exhibit 1, permanently enjoining him from violations of Section 17(a)(2) and 17(a)(3) of the Securities Act and from aiding and abetting violations of Section 13(a) of the Exchange Act and Rules 12b-20, 13a-1, and 13a-13 promulgated thereunder, and ordering him to pay disgorgement in the amount of \$522,725, plus prejudgment interest thereon in the amount of \$302,275.

WHEREAS, plaintiff SEC respectfully requests that the Court enter final judgment as to Fisher in the form attached to Exhibit 1.

Dated: July 22, 2010

Respectfully submitted,

s/Frank D. Goldman
Gregory P. von Schaumburg
Andrea R. Wood
Frank D. Goldman
Attorneys for Plaintiff
U.S. SECURITIES & EXCHANGE
COMMISSION
175 W. Jackson Blvd., Suite 900
Chicago, IL 60604
Telephone: (312) 353-7390
Facsimile: (312) 353-7398

CERTIFICATE OF SERVICE

I, Frank D. Goldman, hereby certify that, on July 22, 2010, I caused a copy of the foregoing **Agreed Motion for Entry of Final Judgment as to Defendant Fisher** to be served upon the following counsel by the Court's CM/ECF system:

Daniel E. Reidy (dereidy@jonesday.com)
James C. Dunlop (jcdunlop@jonesday.com)
Melissa B. Hirst (mbhirst@jonesday.com)
Adam W. Wiers (awwiers@jonesday.com)
Jones Day
77 West Wacker Drive, Suite 3500
Chicago, Illinois 60601-1692
Telephone: (312) 782-3939
Fax: (312) 782-8585

Sarah R. Wolff (swolff@reedsmith.com)
Robin J. Elowe (relowe@reedsmith.com)
Reed Smith LLP
10 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 207-1000
Fax: (312) 312-207-6400

David J. Stetler (djstetler@stetlerandduffy.com)
William P. Ziegelmueller (bziegel@stetlerandduffy.com)
Mariah E. Moran (mmoran@stetlerandduffy.com)
Stetler & Duffy, Ltd.
11 S. LaSalle St., Suite 1200
Chicago, Illinois 60603
Telephone: (312) 338-0200
Fax: (312) 338-0070

Ann C. Tighe (atighe312@aol.com)
Terence H. Campbell (tcwolfram@aol.com)
Matthew S. Ryan (mryan@cotsiriloslaw.com)
Cotsirilos, Tighe & Streicker, Ltd.
33 North Dearborn Street, Suite 600
Chicago, Illinois 60602 Chicago, IL 60601
Telephone: (312) 263-0345
Fax: (312) 263-4670

by the Court's CM/ECF system this 22nd day of July, 2010.

s/Frank D. Goldman