



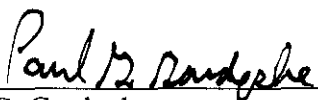
2009, strenuously objecting to the SEC's proposed "claw back" provision and requesting an opportunity to submit an amicus brief concerning this issue. Accordingly,

IT IS HEREBY ORDERED that

1. the Commission shall file, by October 1, 2009, a final proposed order, as well as a list of three individuals it recommends the Court consider for appointment as Monitor, in the event that the Commission's Plan of Distribution is approved;
2. any party or claimant who wishes to submit additional briefing concerning either the "claw back" provision or the appropriate treatment of "straddler" investors may do so by October 6, 2009, by filing their submission with the Court and serving copies on Commission counsel, Nancy A. Brown, Esq., Securities and Exchange Commission, 3 World Financial Center, New York, New York 10281;
3. the Massachusetts Securities Division may submit an amicus brief concerning the "claw back" and "straddler" investor issues by October 6, 2009.

Dated: New York, New York  
September 23, 2009

SO ORDERED.

  
\_\_\_\_\_  
Paul G. Gardephe  
United States District Judge