

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/26/2019

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

ROBERT GAUGHRAN and KEVIN
CLUNE,

Defendants.

17-cv-10026-GHW

**ORDER TO TRANSFER FUNDS TO TRAIN BABCOCK
FAIR FUND FOR DISTRIBUTION AND DIRECTING THAT ALL FUNDS PAID BY
DEFENDANTS BE INCLUDED IN THE FAIR FUND**

The Court, having reviewed Plaintiff Securities and Exchange Commission's Motion for an Order Directing the Transfer of Funds to Related Proceeding for Distribution (the "Motion"), and for good cause shown;

IT IS HEREBY ORDERED THAT:


1. The Motion is GRANTED;
2. All the funds held by the Commission in this matter under the case name designation "*Securities and Exchange Commission v. Robert Gaughran and Kevin Clune*, 17 Civ. 10026 (GHW)" are to be transferred to the Fair Fund established pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended, in the related proceeding, *In the Matter of Train, Babcock Advisors LLC*, File No. 3-18324 ("Train Babcock Administrative Proceeding"), for distribution to the injured investor.

3. Any future funds, assets, or proceeds received by the Commission in satisfaction of any judgments entered in this action shall be promptly deposited into the Fair Fund in the related Train Babcock Administrative Proceeding.

4. All amounts the Commission currently holds in this action, any amounts collected in the future in this matter and all amounts, if any, held at the U.S. Treasury as post-judgment interest collected in this action shall be included in the Fair Fund in the related Train Babcock Administrative Proceeding.

SO ORDERED.

Dated: December 26, 2019


Honorable Gregory H. Woods
United States District Judge