

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

U.S. COMMODITY FUTURES TRADING COMMISSION,	§	
Plaintiff,	§	
v.	§	
RFF GP, LLC, KGW CAPITAL MANAGEMENT, LLC, and KEVIN G. WHITE,	§	Case No.: 4:13-cv-382
Defendants,	§	
REVELATION FOREX FUND, LP, MERIDIAN PROPANE LP, and W CORPORATE REAL ESTATE, LP d/b/a KGW REAL ESTATE,	§	
Relief Defendants.	§	

SECURITIES AND EXCHANGE COMMISSION,	§	
Plaintiff,	§	
v.	§	Case No.: 4:13-cv-383
KEVIN G. WHITE, KGW CAPITAL MANAGEMENT, LLC, REVELATION FOREX FUND, L.P., and RFF GP, LLC,	§	
Defendants,	§	
and	§	
MERIDIAN PROPANE, L.P., and W CORPORATE REAL ESTATE L.P. d/b/a KGW REAL ESTATE,	§	
Relief Defendants.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND ORDER GRANTING RECEIVER’S UNOPPOSED PETITION TO MAKE FIRST INTERIM DISTRIBUTION TO INVESTORS

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 4, 2014, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendation that the Receiver’s Proposed Distribution Plan as set forth in Petition No. 3 in 4:13cv382 (*see* Dkt. 44) and Petition No. 4 in 4:13cv383 (*see* Dkt. 49) be

APPROVED. On February 10, 2014, the Receiver filed Petition No. 10 in 4:13cv382 (*see* Dkt. 84) and Petition No. 9 in 4:13cv383 (*see* Dkt. 89), its Unopposed Petition to Make First Interim Distribution to Investors pursuant to the Receiver's proposed plan.


Having received the report of the United States Magistrate Judge regarding the Receiver's Proposed Distribution Plan, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

Therefore, the Receiver's Proposed Distribution Plan as set forth in Petition No. 3 in 4:13cv382 (**Dkt. 44**) and Petition No. 4 in 4:13cv383 (**Dkt. 49**) is hereby **APPROVED**. Further, there being no opposition filed to the Petition to Make First Interim Distribution to Investors, the court finds that Petition No. 10 in 4:13cv382 (**Dkt. 84**) and Petition No. 9 in 4:13cv383 (**Dkt. 89**) are just and appropriate and should be **GRANTED**.

ACCORDINGLY, it is hereby ordered that the Receiver is authorized to make a *pro rata* interim distribution of \$3,085,398 of receivership assets recovered by the Receiver to the approved investors in the amounts as shown on the Distribution Chart, Exhibit A attached to the Petitions (*see* Dkts. 84-1 in 4:13cv382 & 89-1 in 4:13cv383). To the extent an investor with an approved claim invested qualified funds with the Defendants, the Receiver may make the distribution to the approved investor payable to the investor's qualified fund.

IT IS SO ORDERED.

SIGNED this the 7th day of March, 2014.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE