

DISTRIBUTIONS

Please be aware that as of November 12, 2010, there have been two monetary distributions to victims of Trevor Cook's fraud, one in the civil cases and one in the criminal case. More information about the Receiver's interim distribution, the claim submission process, and the claim bar date in the civil cases can be found [here](#). More information about the distribution in the criminal case can be found [here](#).

INTRERIM DISTRIBUTIONS IN THE CIVIL CASES

On November 1, 2010, the Court entered an [Order](#) in the civil cases of *SEC v. Cook* and *CFTC v. Cook* authorizing the Receiver to make an interim distribution of \$2.25 million from the Receivership to 668 investors. The interim distribution, which was made on a *pro rata* basis, translated to 1.581 cents paid out for every dollar lost to Cook's fraud. The Receiver's interim distribution checks were mailed on November 12, 2010.

Since the November 1, 2010 Order, the Court has directed the Receiver to make an interim distribution to employee claimants who were not part of the original interim distribution, and not to deduct compensation from employees' claims. Employee claimants will be paid out on the same *pro rata* basis as other investors. Interim distribution checks will be mailed to employee claimants on November 24, 2010.

CLAIM SUBMISSION PROCESS AND BAR DATE

If you are not sure if you have submitted a claim to the Receiver, please contact the Receiver's Office locally at (612) 436-9664, toll-free at (877) 316-6129, or by email at info@cookkileyreceiver.com.

If you wish to make a claim for civil restitution to the Receiver, and have not yet done so, please be aware of the following important points:

First, the **Claim Bar Date is January 14, 2011**. Any claims for civil restitution that are not postmarked or received by January 14, 2011, will be barred. Claims may be submitted to the Receiver by mail, courier, fax or through this web site (go to "[Submit Your Info](#)" tab at the top of the home page).

Second, all claims must be verified by third-party documentation. Examples of acceptable forms of proof include canceled checks, wire transfer receipts, and bank statements. For claims involving gold, silver, or other precious metals, we require proof of ownership, a detailed listing of the coins or other items transferred, and invoices, purchase orders, or other documentation showing the valuation of the items on the date of transfer to the Receiver Estate. Claims that are not supported by the required documentation will not be recognized by the Receiver.

Third, a recognized claim amount will be calculated for each claimant by adding verified deposits and subtracting receipts. Receipts are payments or benefits of any kind received from the Receiver Estates, such as withdrawals of principal, "interest" payments, mortgage payments, vehicles, personal property, and gifts. The Receiver also will subtract any claims for

profits shown on fraudulent account statements; these profits were never in fact made by the fraudulent enterprise. To expedite the processing of your claim, we ask that you properly calculate your claim when submitting it to the Receiver.

Fourth, the Receiver will issue letter setting forth a recognized claim amount in response to every claim that is submitted. Recognized claim amounts are calculated by adding verified deposits and subtracting receipts. Receipts are payments or benefits of any kind received from the Receiver Estates, such as withdrawals of principal, “interest” payments, mortgage payments, vehicles, personal property, and gifts. The Receiver also will subtract any claims for profits shown on fraudulent account statements; these profits were never in fact made by the fraudulent enterprise. **If you wish to challenge the claim amount recognized by the Receiver you must do so within thirty (30) days of the date of the letter with your recognized claim amount.** The letter setting forth your recognized claim amount will include instructions on how to make a challenge. Any recognized claim amount that is not challenged within the thirty (30) day period will be submitted to the Court for final approval.

Fifth, any claim amount that is recognized by the Receiver and confirmed by the Court will be paid out on a *pro rata* basis from the Receivership. A final accounting will be made so that all claims are paid out on the same *pro rata* basis, whether part of the interim distribution or not.

QUESTIONS?

If you have any other questions or concerns about the interim distribution, your recognized claim amount, the claim finalization process, or any other issue involved in the Receivership, please contact the Receiver’s office locally at (612) 436-9664, toll-free at (877) 316-6129, or by email at info@cookkileyreceiver.com.

Please note that the Receiver is handling the distributions in the civil cases, and the U.S. Probation Office (Peter Madsen, 651-848-1246 and Peter_Madsen@mp.uscourts.gov) is handling the distribution in the criminal case. If you have any concerns about either distribution, please be sure to direct your inquiry to the appropriate office.

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RESTITUTION IN THE CRIMINAL CASE

On November 1, 2010, the Court entered an [Order](#) in the civil cases authorizing \$363,700 of Receivership funds to be used for restitution in the criminal case, [United States v. Trevor Cook](#). Please visit the [Receiver Filings and Court Orders](#) page of our web site to view the Order. On November 12, 2010, criminal restitution checks were mailed. If you have questions about the criminal restitution, please contact Peter Madsen, U.S. Probation Officer, at 651-848-1246 or Peter_Madsen@mp.uscourts.gov.

Please note that the Receiver is handling the distributions in the civil cases, and the U.S. Probation Office is handling the distribution in the criminal case. If you have any concerns about either distribution, please be sure to direct your inquiry to the appropriate office.

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