

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

U.S. COMMODITY FUTURES
TRADING COMMISSION,
Plaintiff,

v.

Case No. 09-cv-3332 (MJD/FLN)

TREVOR COOK et al.,
Defendants,

R.J. ZAYED,
Receiver.

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,
Plaintiff,

v.

Case No. 09-cv-3333 (MJD/FLN)

TREVOR G. COOK, et al.,
Defendants,

R.J. ZAYED,
Receiver.

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,
Plaintiff,

v.

Case No. 11-cv-574 (MJD/FLN)

JASON BO-ALAN BECKMAN, et al.,

Defendants,

R.J. ZAYED,

Receiver.

**ORDER APPROVING EIGHTH INTERIM DISTRIBUTION AND FOURTH
AMENDED FINAL CLAIMS LIST**

THIS MATTER came before the Court upon the Receiver's Motion to approve the Receiver's plan for an Eighth Interim Distribution and proposed Fourth Amended Final Claims List for civil restitution.

The Court having considered the pleadings, files and records before it, and being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. The Receiver's motion is granted.
2. The Receiver shall make an Eighth Interim Distribution of funds and credits totaling \$500,000.00 on a *pro rata* basis to claimants identified in the Receiver's Fourth Amended Final Claims List as follows:
 - a. The Receiver shall adjust the *pro rata* shares of the claimants identified in the Fourth Amended Final Claims List such that the

total restitution received by all claimants from all sources is approximately equal;

- b. Any claimant whose overall recovery rate exceeds the median recovery rate for all claimants shall have this and future distributions reduced or otherwise adjusted until such time that his or her overall recovery rate is on par with the overall recovery rate of the remaining claimants;
 - c. No claimant shall receive additional funds from the Receiver until such time that the median recovery rate by all other claimants reaches the same *pro rata* recovery rate obtained by the claimant through any settlements and previous distributions; and
3. The Receiver shall not make any distributions to claimants who have not returned the excess amounts from the Third Interim Distribution, but rather credit to the Clerk of Court the *pro rata* shares for these claimants, until such time that their overall recovery rates are on par with the overall recovery rate of the remaining claimants.
 4. The Recognized Claim Amounts for the 737 claimants identified in the Receiver's proposed Fourth Amended Final Claims List, 09-cv-3333 Docket

No. 1356, 09-cv-3332 Docket No. 1266 & 11-cv-574 Docket No. 648, are hereby entered as the final claim amounts for civil restitution in the civil cases of *SEC v. Cook et al.*, 09-cv-3333 (D. Minn.), *CFTC v. Cook et al.*, 09-cv-3332 (D. Minn.) and *SEC v. Beckman et al.*, 11-cv-574 (D. Minn.). No other individual or entity shall be entitled to civil restitution in these cases barring further Order of this Court.

SO ORDERED.

Dated: June 8, 2017

s/Michael J. Davis
Michael J. Davis
United States District Court