

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**GARRETT O'ROURKE and  
MICHAEL J. BLACK,**

**Defendants.**

**Case No.: 19-CV-4137 (KAM)**

**PLAINTIFF'S NOTICE OF THE FILING OF THE  
DISTRIBUTION AGENT'S NINTH STATUS REPORT**

Pursuant to paragraph 4(h) of this Court's Order entered March 4, 2021 (ECF No. 89), Plaintiff Securities and Exchange Commission (the "SEC") hereby files the Distribution Agent's Ninth Status Report on behalf of JND Legal Administration ("JND"). *See* Exhibit A. In accordance with ECF No. 89, the SEC anticipates filing another status report with the Court on or about October 30, 2023.

Dated: July 21, 2023

Respectfully submitted,

s/Catherine E. Pappas

Catherine E. Pappas (PA Bar 56544)

pappasc@sec.gov

U.S. Securities and Exchange Commission

1617 JFK Blvd., Suite 520

Philadelphia, PA 19103

(215) 597-0657

Attorney for Plaintiff United States  
Securities and Exchange Commission

**CERTIFICATE OF SERVICE**

I hereby certify that, on July 21, 2023, the plaintiff filed a true and correct copy of the foregoing document with the Court's CM/ECF system through which it will be disseminated electronically to counsel for the defendants, both of whom are participants registered to receive electronic notice in this case.

s/Catherine E. Pappas  
Catherine E. Pappas

**Exhibit A**  
**(Ninth Progress Report)**

**UNITED STATES DISTRICT COURT  
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**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**GARRETT O'ROURKE and  
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**Defendants**

**Case No.: 19-CV-4137 (KAM)**

**THE DISTRIBUTION AGENT'S NINTH STATUS REPORT**

JND Legal Administration ("JND"), the Court-appointed Distribution Agent in the above-captioned matter, respectfully submits this Status Report pursuant to this Court's Order entered March 4, 2021 (the "Order", ECF No. 89) and the Plan of Distribution approved by the Court on May 26, 2021 (the "Plan", ECF No. 95). By the Order, this Court appointed JND as the Distribution Agent for the collections in this action (the "Distribution Fund"), to oversee the administration and distribution of the Distribution Fund in coordination with the Securities and Exchange Commission's ("SEC") counsel of record. Pursuant to paragraph 4(h) of the Order, the Distribution Agent is required to file with the Court or provide to the SEC's counsel of record to file with the Court, quarterly reports within thirty days after the end of every quarter. This Ninth Status Report covers the second quarter of 2023.

**Tasks Performed by the Distribution Agent Since the Eighth Status Report**

Since its Eighth Status Report, JND has performed the following tasks in connection with its role as the SEC-appointed Distribution Agent:

- Conducted outreach on uncashed checks and unreceived payments, resulting in all Eligible Claimants receiving the Distribution Payment directed to them. All Eligible Claimants have received their full Eligible Loss Amount plus Reasonable Interest, as those terms are defined in the Court-approved distribution plan;
- Continued to maintain and monitor the case email inbox, the case P.O. box, the toll-

free number, and the distribution website (www.ORourkeDistributionFund.com);

- Communicated with the SEC staff regarding distribution statistics and account balances; and
- Responded to investor inquiries.

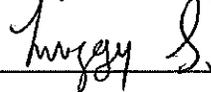
#### **Anticipated Next Steps**

In the next quarter, JND will continue to execute the Plan, including:

- Continuing to maintain and monitor the case email inbox, the case P.O. box, the toll-free number, and the distribution website;
- Working with the Tax Administrator to complete a final report and accounting for the Distribution Fund;
- Assisting the SEC staff and the Tax Administrator to terminate the distribution in accordance with paragraphs 81, *et seq.* of the Plan;
- Continuing to provide reports in accordance with the Appointment Order; and
- Filing a Tenth Status Report along with the fourth quarterly accounting report within 30 days of September 30, 2023.

Dated: July 20, 2023

Respectfully submitted,

By:  \_\_\_\_\_

Luiggy Segura  
JND Legal Administration  
Distribution Agent  
3333 New Hyde Park Road  
New Hyde Park, NY 11042  
Phone: 1-800-207-7160

JND Legal Administration  
O'Rourke Distribution Fund

Accounting Report For the Period Ending June 30, 2023

Date of Transfer	November 7, 2022
Origin of Transfer	U.S. Treasury's Bureau of Fiscal Service ("BFS")
Authority For Transfer	Order to Transfer Funds for Distribution (October 26, 2022)
Location & Types of Accounts	The Huntington National Bank; Escrow and Deposit Accounts
Case Caption	<i>SEC v. Garrett O'Rourke and Michael J. Black (Case No.: 19-CV-4137 (KAM))</i>

Fund Balance Reconciliation		
	Inception-To-Date Amount	
Deposits (Funding from Client)		\$5,067,142.21
Interest/Credit		\$18,848.72
<b>TOTAL</b>	<b>\$</b>	<b>5,085,990.93</b>
Distribution Reconciliation		
	Inception-To-Date	
	Items	Amount
Checks Presented for Payment	256	\$ 4,935,324.49
Wired Payments	4	\$ 127,928.56
MKA Wire Payment	1	\$ 3,889.16
Returned Wires	0	\$ -
Uncashed Payments	0	\$ -
<b>TOTAL DISTRIBUTED</b>		<b>\$ 5,067,142.21</b>
Current Account Balance <sup>1</sup>		
	ACCOUNT BALANCE	\$ 18,848.72

<sup>1</sup> - This balance represents interest earned.