

**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 EIGHTH 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, on behalf of JND Legal Administration ("JND"), the Distribution Agent's Eighth Status Report, attached as Exhibit A. In accordance with ECF No. 89, the SEC anticipates filing another status report with the Court on or about July 30, 2023.

Dated: April 21, 2023

Respectfully submitted,

s/Catherine E. Pappas

Catherine E. Pappas (PA Bar 56544)

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U.S. Securities and Exchange Commission

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Philadelphia, PA 19103

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Attorney for Plaintiff United States  
Securities and Exchange Commission

**CERTIFICATE OF SERVICE**

I hereby certify that, on April 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**

**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)**

**THE DISTRIBUTION AGENT'S EIGHTH 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 Eighth Status Report covers the first quarter of 2023.

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

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

- 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](http://www.ORourkeDistributionFund.com)),
- Conducted multiple rounds of outreach to those checks that remain uncashed, and
- Responded to investor inquiries.

**Anticipated Next Steps**

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

- Continue to maintain and monitor the case email inbox, the case P.O. box, the toll-free number, and the distribution website;
- Conduct additional outreach on uncashed checks;
- Once all Distribution Payments have been negotiated or voided, assess whether it is feasible to do another distribution and, if not, transfer remaining funds to the SEC and begin termination activities in accordance with the Plan;
- Provide reports in accordance with the Appointment Order, including, in consultation with the Tax Administrator, a final accounting and final report; and
- File a Ninth Status Report along with the second quarterly accounting report within 30 days of June 30, 2023.

Dated: April 21, 2023

Respectfully submitted,

By: Luiggy Segura

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 March 31, 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		\$18,630.24
<b>TOTAL</b>	<b>\$</b>	<b>5,085,772.45</b>
Distribution Reconciliation		
	Inception-To-Date	
	Items	Amount
Checks Presented for Payment	256	\$ 4,935,324.49
Wired Payments	3	\$ 127,665.49
MKA Wire Payment	1	\$ 3,889.16
Returned Wires	0	\$ -
Uncashed Payments	1	\$ 263.07
<b>TOTAL DISTRIBUTED</b>		<b>\$ 5,067,142.21</b>
Current Account Balance <sup>1</sup>		
	ACCOUNT BALANCE	\$ 18,893.31

<sup>1</sup> - This balance represents funds underlying the uncashed checks and interest/credits earned.