

**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 TENTH 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. *See* Exhibit A. In accordance with ECF No. 89, the Distribution Agent anticipates filing another status report with the Court on or about January 30, 2023.

Dated: October 6, 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 October 6, 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 TENTH 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 Tenth Status Report covers the third quarter of 2023.

Tasks Performed by the Distribution Agent Since the Ninth Status Report

Since its Ninth 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);
- Completed all distribution efforts; and
- Sent any remaining funds to the SEC.

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 in accordance with the Plan;
- Complete and follow up on the payment of invoices to the Distribution Agent and Tax Administrator;
- Work with the Tax administrator on finalizing the tax returns;
- Work with the SEC to complete and file a motion terminating the distribution and discharging the Distribution Agent, including:
 - Provide reports in accordance with the Appointment Order, including, in consultation with the Tax Administrator, a final accounting and final report; and
 - Provide an affidavit to SEC's counsel summarizing the activities as Distribution Agent for filing with the Court;
- If the distribution remains open, file an Eleventh Status Report along with the 4th quarterly accounting report within 30 days of December 31, 2023.

Dated: October 5, 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 September 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	SEC v. Garrett O'Rourke and Michael J. Black (Case No.: 19-CV-4137 (KAM))

Fund Balance Reconciliation		
	Inception-To-Date Amount	
Deposits (Funding from Client)		\$5,067,142.21
Interest/Credit		\$18,848.72
TOTAL	\$	5,085,990.93
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	\$ -
TOTAL DISTRIBUTED		\$ 5,067,142.21
Remitted to SEC ¹		\$ 18,848.72
		ACCOUNT BALANCE
		\$ -

¹ - This balance represents interest earned.