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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

MONEX DEPOSIT COMPANY,  
MONEX CREDIT COMPANY,  
NEWPORT SERVICE  
CORPORATION, MICHAEL  
CARABINI, AND LOUIS CARABINI,

Defendants.\

Case No. 8:17-cv-01868-JVS-DFM

**ORDER:**

**(1) APPROVING MONITOR'S  
RECOMMENDED TREATMENT OF  
CLAIMS (ALLOWED,  
DISALLOWED, DISPUTED);**

**(2) APPROVING DISTRIBUTION  
METHODOLOGY AND AMOUNTS;  
AND**

**(3) APPROVING PROPOSED  
DISTRIBUTION PLAN**

**[437]**

Date: December 16, 2024  
Time: 1:30 pm  
Ctrm: 10C  
Judge Hon. James V. Selna

1 The Court, having considered the motion of Krista L. Freitag ("Monitor"), the  
2 Court-appointed Substitute Monitor for the Monex Restitution Fund, for an Order:  
3 (1) Approving Monitor's Recommended Treatment of Claims (Allowed,  
4 Disallowed, Disputed); (2) Approving Distribution Methodology and Amounts; and  
5 (3) Approving Proposed Distribution Plan ("Motion"), including any supporting  
6 declarations and objections filed therein, and being so advised in the matter and  
7 finding good cause, and the motion being unopposed, orders as follows:

8 1. The Motion is granted.

9 2. The proposed allowed claims, as set forth on Exhibit B to the  
10 Declaration of Krista L. Freitag ("Freitag Decl."), are approved;

11 3. The claims as set forth on Exhibit I to the Freitag Del. are disallowed;

12 4. The Distribution Plan attached as Exhibit A to the Freitag Decl. is  
13 approved;

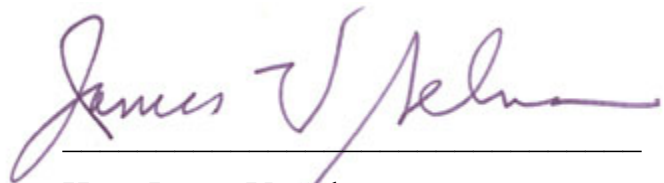
14 5. The Pro Rata Distribution Methodology is approved;

15 6. The Proposed Administrative Expense Holdback of \$375,349 is  
16 approved; and

17 7. The Monitor is authorized to distribute the remaining Restitution Funds  
18 net of the Administrative Expense Holdback of \$32,826,964 (or in amount greater if  
19 the actual interest income earned is greater than the estimated \$164,150) to  
20 Customer Claimants with Allowed Claims pursuant to the Distribution Plan.

21  
22 **The Court vacates the December 16, 2024, hearing.**

23  
24  
25 Dated: December 04, 2024



26 Hon. James V. Selna

27 United States District Judge

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