

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO.: 07-22204-CIV-GOLD/MCALILEY**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

CHARLES O. MORGAN, JR., AS
PERSONAL REPRESENTATIVE OF
THE ESTATE OF FREDERICK J. KUNEN,

Defendant.

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

TERRY E. PROVENCE and DT CAPITAL, LLC

Defendants.

ORDER GRANTING MOTION FOR ORDER AUTHORIZING:
(1) PAYMENT OF FIRST DISTRIBUTION TO HOLDERS OF ALLOWED CLAIMS AND
OF COURT-APPROVED FEES; AND (2) ESTABLISHMENT OF RESERVE [DE 155]

THIS CAUSE came before the Court upon the Receiver's Motion for Order Authorizing: (1) Payment of First Distribution to Holders of Allowed Claims and of Court-Approved Fees; and (2) Establishment of Reserve [DE 155]. The Court has reviewed the Motion and finds that good cause exists for the entry of this Order. Accordingly, it is

ORDERED and ADJUDGED as follows:

1. The Receiver's Motion [DE 155] is granted.

2. The Receiver is authorized to make payments of the "First Distribution Amount" to holders of allowed claims, as set forth and requested in the Motion.

3. The Receiver is authorized effect payment of the "Total Outstanding Fees" to the Receiver's counsel, as set forth and requested in the Motion.

4. The Receiver is authorized to establish a "Reserve," as set forth and requested in the Motion.

DONE AND ORDERED in Chambers, in Miami, Miami-Dade County, Florida
on this 9th day of February, 2009.



ALAN S. GOLD
U.S. DISTRICT COURT JUDGE

cc: All counsel of record