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7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO

11 SECURITIES AND EXCHANGE  
COMMISSION,

12 Plaintiff,

13 vs.

14 ALEXANDER JAMES TRABULSE,

15 Defendant.

16 and

17 FAHEY FUND, L.P., FAHEY FINANCIAL  
18 GROUP, INC., INTERNATIONAL TRADE &  
DATA, and ITD TRADING,

19 Relief Defendants.  
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Case No. C 07-4975 (WHA)

ORDER ON OMNIBUS MOTION  
REGARDING CLAIMS

Date: July 9, 2009

Time: 8:00 a.m.

Place: Courtroom 9, 19<sup>th</sup> Floor  
United States District Court  
Northern District of California-  
San Francisco Division  
450 Golden Gate Avenue  
San Francisco, CA 94102

1 This Court, having reviewed the Omnibus Motion Regarding Claims, (the "Motion"), filed  
2 by the monitor Michael A. Grassmueck, having heard the Motion, and having decided the Motion  
3 after taking it under submission, and good cause appearing therefore, orders as follows:

4 1. The Motion is granted in its entirety.

5 2. The claims of investors ("Investor Claims") in this case listed on Exhibit "A"  
6 (except for claim number 52, which is a trade creditor claim) attached hereto are allowed in the  
7 amounts set forth in Exhibit "A", and the remainder of the Investor Claims are disallowed in their  
8 entirety as set forth in Exhibit "A".

9 3. The claim of trade creditor, referenced as claim number 52 in attached Exhibit "A",  
10 is disallowed in its entirety.

11 4. The claim of Pillsbury, Winthrop, Shaw & Pittman LLP (Claim Number 112) is  
12 disallowed in its entirety.

13 5. The claim of Paul and Eileen Jorgensen (Claim Number 95) is allowed in the  
14 amount of \$159,744, with the remainder of the claim disallowed.

15 6. The claims of Martin Button and Sandra Kasky (Claim Numbers 129 to 135)  
16 ("Button Claims") are allowed in the amounts set forth in Exhibit "A", with the remainder of the  
17 Button Claims disallowed.

18 **IT IS SO ORDERED.**

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20 Dated:

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WILLIAM H. ALSUP  
U.S. DISTRICT COURT JUDGE

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**Exhibit "A"**

Fahey Omnibus Exhibit

Claim Number	Claimed Amount	Grounds for Objection	Allowed Amount
00001-A	\$388,370.75	N/A	\$388,370.75
00001-B	\$255,000.00	N/A	\$255,000.00
00001-C	\$710,730.01	N/A	\$710,730.01
00002	\$183,625.62	Not adjusted for withdrawals made	\$78,446.07
00003	\$10,000.00	N/A	\$10,000.00
00004	\$10,000.00	N/A	\$10,000.00
00005	\$10,000.00	N/A	\$10,000.00
00006	\$100,000.00	N/A	\$100,000.00
00007	\$100,000.00	N/A	\$100,000.00
00008	\$10,000.00	N/A	\$10,000.00
00009	\$26,779.25	Not entitled to interest or opportunity cost	\$6,288.60
00010	\$10,000.00	Not adjusted for withdrawal made	\$9,750.00
00011	\$208,940.74	Not entitled to interest	\$100,000.00
00012	\$475,000.00	N/A	\$475,000.00
00013	\$50,000.00	N/A	\$50,000.00
00014	\$72,036.25	N/A	\$72,036.25
00015	\$54,542.48	Not entitled to interest	\$0.00
00016	\$562,409.23	Not entitled to interest	\$226,036.02
00017	\$120,991.64	Not adjusted for withdrawals made	\$0.00
00019	\$598,548.85	Included unsubstantiated amounts	\$31,800.00
00020	\$109,169.41	Not adjusted for withdrawals made	\$0.00
00021	\$200,000.00	N/A	\$200,000.00
00022	\$158,440.72	Not entitled to interest	\$100,000.00
00023	\$45,000.00	N/A	\$45,000.00
00024	\$113,890.91	Not entitled to interest	\$100,000.00
00025	\$30,000.00	N/A	\$30,000.00
00026	\$38,391.36	Not entitled to interest	\$25,000.00
00027	\$44,922.24	Not entitled to interest	\$25,000.00
00028	\$4,429.54	Not entitled to interest	\$2,000.00
00029	\$252,562.63	Not entitled to interest	\$80,274.43
00030	\$25,000.00	N/A	\$25,000.00
00031	\$55,000.00	N/A	\$55,000.00
00032	\$158,876.78	Not entitled to interest	\$100,000.00
00033	\$228,205.00	Included unsubstantiated amounts	\$130,400.00
00034	\$106,000.00	N/A	\$106,000.00
00035	\$80,010.26	Not entitled to interest	\$80,002.14

## Fahey Omnibus Exhibit

Claim Number	Claimed Amount	Grounds for Objection	Allowed Amount
00036	\$114,161.00	Not entitled to interest; included unsubstantiated amounts	\$70,000.00
00037	\$252,940.74	Not entitled to interest; overstated deposit	\$143,895.00
00038	\$57,183.78	Not entitled to interest	\$20,000.00
00039	\$1,300,000.00	N/A	\$1,300,000.00
00040	\$195,116.76	N/A	\$195,116.76
00041	\$450,000.00	N/A	\$450,000.00
00042	\$150,000.00	N/A	\$150,000.00
00043	\$178,909.96	Not adjusted for withdrawals made	\$0.00
00044	\$74,220.36	Not entitled to interest	\$45,000.00
00045	\$18,000.00	Not entitled to fees	\$17,920.00
00046	\$52,880.50	Not adjusted for withdrawals made	\$0.00
00047	\$1,671,810.46	Not adjusted for withdrawals made	\$0.00
00048	\$44,000.00	Not adjusted for withdrawals made	\$0.00
00049	\$25,000.00	Included unsubstantiated amounts	\$0.00
00050	\$3,684,167.00	Not entitled to interest; not adjusted for withdrawals made	\$2,000,000.00
00051	\$79,985.94	Not adjusted for withdrawals made	\$0.00
00052	\$175,500.00	Not adjusted for withdrawals made	\$0.00
00053	\$30,000.00	N/A	\$30,000.00
00054	\$48,179.11	Not entitled to interest	\$25,000.00
00055	\$78,458.00	Not entitled to interest; not adjusted for withdrawals made	\$20,447.77
00056	\$110,907.52	Included unsubstantiated amounts; not adjusted for withdrawals made	\$0.00
00057	\$86,500.00	N/A	\$86,500.00
00058	\$100,000.00	N/A	\$100,000.00
00059	\$50,000.00	N/A	\$50,000.00
00060	\$355,188.71	Not adjusted for withdrawals made	\$0.00
00061	\$12,502.02	Not entitled to interest, fees or expenses	\$7,859.04
00062	\$6,289.11	Not entitled to interest, fees or expenses	\$3,377.04
00063	\$279,242.40	Not entitled to interest, fees or expenses	\$110,000.00
00064	\$177,093.59	Not entitled to interest	\$64,889.93
00065	\$863,670.93	Not entitled to interest, fees or expenses	\$285,520.07
00066	\$51,585.35	Not entitled to interest	\$30,000.00
00067	\$223,517.38	Not entitled to interest, not adjusted for withdrawals made; includes unsubstantiated amounts	\$159,100.93
00068	\$239,210.33	N/A	\$239,210.33
00069	\$402,222.62	N/A	\$402,222.62
00070	\$207,000.00	N/A	\$207,000.00
00071	\$40,000.00	N/A	\$40,000.00

## Fahey Omnibus Exhibit

Claim Number	Claimed Amount	Grounds for Objection	Allowed Amount
00072	\$46,500.00	Not entitled to fees	\$46,428.85
00073	\$12,381.38	N/A	\$12,381.38
00074	\$2,662.00	Includes unsubstantiated amounts	\$0.00
00075	\$28,138.28	Not entitled to interest	\$10,000.00
00076	\$229,925.21	Includes unsubstantiated amounts; not entitled to interest	\$15,000.00
00077	\$169,201.00	Not entitled to interest	\$29,577.52
00078	\$13,990.00	Not adjusted for withdrawals made	\$0.00
00079	\$664,601.73	Not entitled to interest; includes unsubstantiated amounts; not adjusted for withdrawals made	\$170,000.00
00080	\$199,772.00	Not entitled to interest; not adjusted for withdrawals made	\$44,067.80
00081	\$176,521.00	Not adjusted for withdrawals made	\$0.00
00082	\$222,572.40	Not entitled to interest	\$177,891.71
00083	\$310,558.05	Not entitled to interest; not adjusted for withdrawals made	\$113,120.24
00084	\$310,000.00	N/A	\$310,000.00
00085	\$79,220.36	Not entitled to interest	\$50,000.00
00086	\$18,038.13	N/A	\$18,038.13
00087	\$200,000.00	N/A	\$200,000.00
00088	\$70,000.00	N/A	\$70,000.00
00089	\$41,525.92	Not entitled to interest	\$23,109.89
00090	\$301,705.04	Not entitled to fees and expenses; Not adjusted for withdrawals made	\$94,693.00
00091	\$40,000.00	Included unsubstantiated amounts	\$35,000.00
00092	\$117,500.00	N/A	\$117,500.00
00093	\$167,628.03	Not entitled to interest	\$73,883.72
00094	\$112,212.49	Not adjusted for withdrawals made; not entitled to interest	\$0.00
00095	\$795,000.00	Not adjusted for withdrawals made; included unsubstantiated amounts	\$159,744.01
00096	\$143,500.00	Not adjusted for withdrawals made	\$118,500.00
00097	\$34,484.70	N/A	\$34,484.70
00098	\$426,803.18	Not entitled to interest; included unsubstantiated amounts; not adjusted for withdrawals made	\$123,705.11
00099	\$239,778.37	Not adjusted for withdrawals made; included unsubstantiated amounts	\$0.00
00100	\$314,018.83	Not adjusted for withdrawals made; not entitled to interest	\$0.00
00101	\$167,522.39	Not adjusted for withdrawals made; not entitled to interest	\$0.00
00102	\$6,000.00	Included unsubstantiated amounts	\$1,000.00
00103	\$270,000.00	Not entitled to fees and expenses	\$269,895.00
00104	\$15,352.78	Not entitled to interest	\$10,000.00
00105	\$3,486.87	Not entitled to interest	\$3,261.71
00106	\$75,254.66	Not adjusted for withdrawals made; not entitled to interest	\$0.00
00107	\$209,254.58	Not entitled to interest	\$59,658.42

Fahey Omnibus Exhibit

Claim Number	Claimed Amount	Grounds for Objection	Allowed Amount
00108	\$294,771.87	Claim includes unsubstantiated amounts	\$0.00
00109	\$126,478.99	Not entitled to interest	\$50,000.00
00110	\$88,769.86	Not entitled to interest	\$10,000.00
00111	\$58,903.43	Not entitled to interest	\$10,000.00
00112	\$51,871.61	Claim includes unsubstantiated amounts	\$0.00
00113	\$91,637.35	Not entitled to interest	\$60,500.00
00114	\$132,283.53	Not adjusted for withdrawals made	\$0.00
00115	\$3,860.21	Not entitled to interest	\$3,160.95
00116	\$200,000.00	N/A	\$200,000.00
00117	\$15,000.00	Not adjusted for withdrawals made	\$13,000.00
00118	\$50,000.00	Not adjusted for withdrawals made	\$20,000.00
00119	\$58,283.49	N/A	\$58,283.49
00120	\$222,180.61	Not entitled to interest	\$180,000.00
00121	\$104,010.11	Not adjusted for withdrawals made	\$0.00
00122	\$5,000.00	N/A	\$5,000.00
00123	\$395,000.00	N/A	\$395,000.00
00124	\$5,000.00	No SSN provided; Includes unsubstantiated amounts	\$0.00
00125	\$10,000.00	N/A	\$10,000.00
00126	\$60,000.00	Includes unsubstantiated amounts	\$50,000.00
00127	\$57,500.00	Includes unsubstantiated amounts; not entitled to interest	\$37,495.00
00128	\$144,983.00	Not entitled to interest	\$19,000.00
00129	\$832,121.17	Not adjusted for withdrawals made	\$0.00
00130	\$294,771.87	Not adjusted for withdrawals made	\$0.00
00131	\$24,750.08	Not adjusted for withdrawals made	\$0.00
00132	\$20,187.67	Not adjusted for withdrawals made	\$0.00
00133	\$272,727.23	Not adjusted for withdrawals made	\$0.00
00134	\$120,047.76	Not entitled to interest	\$11,059.86
00135	\$4,976.59	Not entitled to interest	\$2,894.19
00136	\$490,779.28	Not entitled to interest; not adjusted for withdrawals made	\$80,920.00
00137	\$91,408.48	Claim is duplicate of claim 00136	\$0.00
00138	\$153,527.83	Not entitled to interest	\$100,000.00
00139	\$363,413.76	Not entitled to interest; includes unsubstantiated amounts	\$119,139.10
00140	\$267,440.44	Not adjusted for withdrawals made	\$0.00
00141	\$100,000.00	Not adjusted for withdrawals made	\$0.00
00142	\$203,200.34	Not entitled to fees and expenses; Not adjusted for withdrawals made	\$79,093.50
00143	\$120,000.00	Includes unsubstantiated amounts; Not entitled to interest	\$0.00

Fahey Omnibus Exhibit

Claim Number	Claimed Amount	Grounds for Objection	Allowed Amount
00144	\$396,214.40	Not adjusted for withdrawals made; not entitled to interest	\$57,600.00
00145	\$338,495.00	Not entitled to interest; not adjusted for withdrawals made	\$24,187.56
00146	\$30,000.00	Not adjusted for withdrawals made	\$15,500.00
00147	\$45,082.00	N/A	\$45,082.00
00148	\$33,637.68	Not entitled to interest	\$29,535.00
00150	\$477,114.93	Not adjusted for withdrawals made; Includes unsubstantiated amounts	\$10,000.00
00151	\$14,480.00	N/A	\$14,480.00



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