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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

COMMODITY FUTURES TRADING COMMISSION,)

Plaintiff,)

C.A. No. 81-1070-MLW

v.)

U.S. INVESTMENT CO., LTD., ET AL.,)

Defendants.)

IN RE EDMUND EUGENE FLEMING)

NANCY GREEN FLEMING,)

Relief Defendants.)

cmw **PROPOSED DISTRIBUTION PLAN ORDER AND
ORDER SETTING OBJECTION DATE**

Upon consideration of the Plaintiff Commodity Futures Trading Commission's Motion to Approve Proposed Distribution Plan of Receivership Funds, it is hereby ORDERED that:

1. The Clerk of the District Court shall transfer the funds held for the benefit of the USIC former investors to the National Futures Association ("NFA"), who is acting as the Court-appointed Monitor for distribution to the former USIC investors.

2. The Commission will send by first class U.S. mail to the last known address of each former USIC investor, within fourteen days from the date of this Order ("Order Date"), copies of the following documents: (1) this Order; (2) the Commission's motion papers requesting approval of its proposed distribution plan; (3) the proposed cover letter (attached hereto as Exhibit A); (4) the distribution claim form (attached hereto as Exhibit B); and (5) an envelope address to the Commission (postage to be paid by the claimant because of varying postage). Copies of the Order, the Commission's motion papers, the proposed cover letter and

the distribution claim form will also be available on the Commission's USIC website. The Commission will also update its telephone hotline to inform callers about the Commission's proposal.

3. All objections to the distribution plan shall be made within sixty days from the Order Date ("Objection date"). All objections must be served upon the Commission at its Eastern Regional Office, 140 Broadway, 19th Floor, New York, New York, 10005, Attention Karin N. Roth, as well as filed with the Court.

4. If necessary, the Commission will serve and file a response to any objections within fourteen days of the Objection date.

5. The Court will issue an Order ruling on any objections and making any required modifications to the Commission's distribution plan. The last date for the Commission to receive distribution requests from the Former Investors will be sixty days from the Court's ruling on the objections.

6. Former Investors who want to receive a share of the distribution must send their distribution claim form to the Commission in the envelope provided or otherwise addressed to the Commission at its Eastern Regional Office, 140 Broadway, 19th Floor, New York, New York, 10005, Attention Karin N. Roth.

7. The Commission shall submit the Former Investor's claim forms to the Court for its approval of the Former Investor's claims, and a proposed Order to distribute funds. The total funds of \$192,524 plus accrued interest held by the NFA for the benefit of the USIC former investors shall be distributed equally among the 588 former USIC investors or their heirs or assigns ("Former Investors"), resulting in each Former Investor receiving a check for approximately \$327.42. The NFA will mail checks to the Former Investors based on contact

information provided by the Former Investors in their distribution claim forms after receiving the Court's permission to pay the approved claims by the Former Investor.

8. Any funds that remain unclaimed six months after the Final Distribution Date will be distributed in a second distribution among the Former Investors who have filed distribution claim forms. If any funds remain after this second distribution, the funds will be forwarded the United States Treasury as soon as practicable.

9. All costs to distribute the total funds held for the benefit of the former USIC investors will be borne by either the Commission or the NFA.

10. If additional funds are received by for the benefit of the Former Investors, the Commission must seek this Court's permission before distributing any of those funds.


UNITED STATES DISTRICT COURT

June 27, 2003