

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 06-81080 CIV-JOHNSON

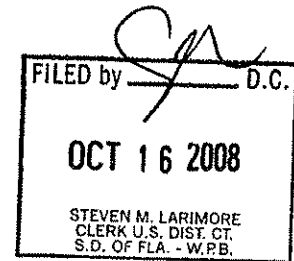
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MERCER CAPITAL, INC., et al.,

Defendants.



**ORDER GRANTING MOTION FOR APPROVAL
OF SETTLEMENT WITH JOSEPH FISHER**

THIS CAUSE is before the Court on the Receiver's Motion for Order Approving Settlement with Joseph Fisher (DE 138). The docket only shows a Response by Joseph Fisher (Fisher) disagreeing with some of the inferences raised by the Receiver as to the funds received by Fisher.¹ Particularly, Fisher does not agree with "the use of the term 'turn over' when [the Receiver] refers to Fisher's settlement payment." (DE 139 at 1.) Fisher goes on to state that "[d]espite the pejorative inferences and characterizations contained in the Receiver's motion, Fisher has agreed to pay the Receiver \$165,000.00 to avoid further litigation." (DE 139 at 2.) Fisher then goes on to indicate that he agrees "to settle this case in accordance with the terms of the stipulation appended to the [Receiver's] motion." (*Id.*) The court having considered the Motion and being otherwise fully advised in the premises, it is hereby

¹ The time has now passed for the filing of any additional Responses and/or objections to the Receiver's Motion.

ORDERED AND ADJUDGED that:

1. The Motion (DE 138) is **GRANTED**;
2. The parties are directed to comply in full with the terms of the Stipulation of Settlement and Mutual Release attached to the Motion (DE 138-2).

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 16th day of October, 2008.


LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

Copies to: All Counsel of Record