

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 06-81080 CIV-JOHNSON

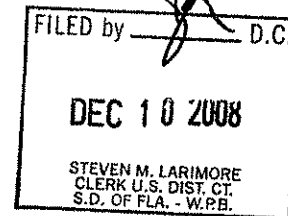
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MERCER CAPITAL, INC., et al.,

Defendants.



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

**THIS CAUSE** is before the Court on the Receiver's Unopposed Motion to Terminate Receivership Over Mercer Asset Management, LLC (DE 144).<sup>1</sup> Fisher's Response (DE 145) indicates disagreement with what he considers inferences raised by the Receiver as to the funds received by Fisher. Particularly, Fisher disagrees with what he terms the Receiver's inference "that the funds Fisher received were illicit when the Receiver states Fisher obtained funds from the Mercer Entities in excess of \$165,000." (DE 145 at 1.) Additionally, Fisher does not agree "with the Receiver's use of the term 'turn over' when [the Receiver] refers to Fisher's settlement payment." (DE 145 at 2.) Fisher goes on to state that despite his stated disagreements, he agrees that "the Court should terminate the receivership over Mercer Asset Management, LLC as agreed to in the settlement agreement the Court has already approved." (DE 145 at 2.)

The court having considered the Motion and being otherwise fully advised in

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<sup>1</sup> The Receiver represents to the court that Plaintiff Securities and Exchange Commission does not oppose the relief sought in the Motion. (DE 144 at 3, ¶ 5.)

the premises, it is hereby

**ORDERED AND ADJUDGED** that:

1. The Motion (DE 144) is **GRANTED**;
2. Mercer Asset Management, LLC is hereby removed from the

Receivership allowed in this proceedings.

**DONE AND ORDERED** in Chambers at West Palm Beach, Florida, this 10<sup>th</sup>  
day of December, 2008.

  
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LINNEA R. JOHNSON  
UNITED STATES MAGISTRATE JUDGE

Copies to: All Counsel of Record