# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

: Civil Action No. : 07-CV-1728-RCL

FEDERAL HOME LOAN
MORTGAGE CORPORATION,
DAVID W. GLENN,
VAUGHN A. CLARKE
ROBERT C. DEAN, and
NAZIR G. DOSSANI,

Defendant.

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#### **STATUS REPORT**

Plaintiff Securities and Exchange Commission (the "Commission"), respectfully submits, as Attachment 1 hereto, the Declaration of Nashira McCoy Regarding Status of Distribution Activities. The Declaration is a status report provided by the Distribution Agent of its recent activities.

Dated: Miami, Florida

January 23, 2018

Respectfully submitted,

/s/ Sondra H. Panahi

SONDRA H. PANAHI

Securities and Exchange Commission

Office of Distributions

801 Brickell Avenue Miami, Florida 33131

Tel.: 305-982-6337

E-mail: panahis@sec.gov

# **CERTIFICATE OF SERVICE**

I, Sondra H. Panahi, hereby certify that, on January 23, 2018, I caused a copy of the foregoing document to be filed with the Court's CM/ECF system, which will automatically send a copy of the document to all counsel of record.

/s/ Sondra H. Panahi Sondra H. Panahi

## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

v.

Civil Action No.

FEDERAL HOME LOAN MORTGAGE CORPORATION, : 07-CV-1728-RCL

DAVID W. GLENN, VAUGHN A. CLARKE, ROBERT C. DEAN, and NAZIR G. DOSSANI,

Defendants.

#### DECLARATION OF NASHIRA MCCOY REGARDING STATUS OF DISTRIBUTION **ACTIVITIES**

- I, Nashira McCoy, declare:
- 1. I submit this declaration in order to provide the Court and the parties to the abovecaptioned litigation with the status of the administration of the Freddie Mac Fair Fund<sup>1</sup>. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.
- I am employed by Gilardi & Co. LLC ("Gilardi"), located at 3301 Kerner Blvd., 2. San Rafael, California. On September 18, 2013, the Court appointed Gilardi as the Distribution Agent to oversee the distribution to injured investors of the Fair Fund established in this matter. (Docket #50). This declaration is being submitted to report on the activities of the Distribution Agent pursuant to the Distribution Plan of the Freddie Mac Fair Fund (the "Distribution Plan") approved by this Court on December 28, 2016. (Docket #66 and #67.) I oversee the notice services, processing and other distribution activities Gilardi provides in accordance with the Distribution Plan.

<sup>&</sup>lt;sup>1</sup> Capitalized terms not defined herein shall have the same meaning ascribed in the Distribution Plan, Dkt 66-1.

## **DISSEMINATION OF DISTRIBUTION PLAN NOTICE**

- 3. Per the various solicitation methods previously detailed in my March 2017 status declaration (Docket #70-1), Gilardi continues to fulfill requests for copies of the Claim Packet and a total of 215,169 have been sent to Potentially Eligible Claimants to date, which includes re-mails of those returned as undeliverable.
- 4. Additionally, Gilardi continues to maintain the case-specific website, <a href="https://www.FreddieMacFairFund.com">www.FreddieMacFairFund.com</a>, toll-free number, (877) 401-1797, and electronic mail box, <a href="mailto:info@freddiemacfairfund.com">info@freddiemacfairfund.com</a>, established in March 2017.
  - 5. Gilardi continues to act as a repository for inquiries and communications.

#### **CLAIMS ADMINISTRATION**

- 6. Under the terms of the Distribution Plan, subject to exclusions, Eligible Claimants are persons or entities who purchased Freddie Mac common stock shares at any time between April 18, 2000 and June 8, 2003, inclusive, and whose Recognized Loss, as per the Plan of Allocation, entitles him, her or it to a Distribution Payment.
- 7. Persons believing themselves to be an Eligible Claimant were required to submit a Proof of Claim Form postmarked no later than July 10, 2017 in order to be eligible to receive a payment from the Fair Fund.
- 8. In preparation for receiving and processing Proofs of Claim, Gilardi: created a unique database to store Proofs of Claim detail and claim images and supporting documentation; and programmed our proprietary claims system with the case-specific calculation methodology to calculate Recognized Loss pursuant to the Court-approved Plan of Allocation
- 9. Gilardi has received a total of 94,226 Proof of Claim Forms in connection with this distribution.
- 10. At the direction of the Commission and in accordance with the Distribution Plan, Gilardi is currently processing those claims to determine whether they were eligible or ineligible to participate in this distribution.

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- 11. Pursuant to the Distribution Plan, the Filing Deadline may be extended for one or more Potentially Eligible Claimants by the Distribution Agent in its sole discretion. As processing has not been materially delayed, submissions received to date which were submitted beyond the Filing Deadline are currently included in our eligibility review.
- 12. Claims processing efforts and timing are in-line with timeframes identified in the Distribution Plan.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed this 22<sup>nd</sup> day of January 2018, at San Rafael, California.

NASHIRA MCCOY