

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>SECURITIES AND EXCHANGE COMMISSION,</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>Civil Action No.</b>
	:	
<b>-against-</b>	:	<b>03 Civ. 2944 (WHP)</b>
	:	
<b>GOLDMAN, SACHS &amp; CO.,</b>	:	
	:	
<b>Defendant.</b>	:	

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**ORDER REGARDING DISTRIBUTION FUND PLAN**

On October 31, 2003, the Court signed a Final Judgment as to Defendant Goldman, Sachs & Co. (“Final Judgment”). Section II of the Final Judgment calls for the creation of a Distribution Fund, which consists of Defendant’s Federal Payment plus any income and interest earned thereon.<sup>1</sup> Under Section V.A of the Final Judgment, “[t]he Distribution Fund Administrator shall formulate and administer a Distribution Fund Plan ... intended to provide for the equitable, cost-effective distribution of funds to Eligible Distribution Fund Recipients.” Under Section V.C.1 of the Final Judgment, to be an Eligible Distribution Fund Recipient, a person must have purchased “equity securities in question” through Defendant during the “relevant period of purchase.” Also under Section V.C.1, “[i]dentification of the ‘equity securities in question’ and the ‘relevant period of purchase’ for each such equity security will be set forth (solely for the purpose of administering the Distribution Fund Plan) in a further order of the Court.”

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<sup>1</sup> All defined terms in the Final Judgment apply to this Order.

Accordingly, IT IS HEREBY ORDERED that the “equity securities in question” and the “relevant period of purchase” for each such equity security, as those terms are used in Section V.C.1 of the Final Judgment, are as follows:

<u>Equity Securities in Question</u>	<u>Relevant Periods of Purchase</u>
360networks, Inc.	April 27, 2001 – May 15, 2001
Exodus Communications Inc.	June 11, 2001 – June 20, 2001
WorldCom Inc.	Aug. 7, 2000 – Dec. 5, 2000
	April 26, 2001 – June 30, 2001
AT&T Corp.	July 26, 2000 – Dec. 19, 2000
	April 25, 2001 – June 30, 2001
Global Crossing Ltd.	March 21, 2000 – June 19, 2000

The identification of “equity securities in question” and “relevant periods of purchase” made herein is solely for the purpose of facilitating the efficient administration of the Distribution Fund Plan, is not a judicial or Commission finding, and is not intended to have precedential effect in other actions.

SO ORDERED.

Dated: New York, New York  
October 31, 2003

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WILLIAM H. PAULEY III  
UNITED STATES DISTRICT JUDGE