

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**UNITED DEVELOPMENT FUNDING,
III, LP, et al.,**

Defendants.

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Civil Action No. **3:18-CV-1735-L**

ORDER

Before the court is the Motion for an Order to Show Cause (“Motion”) (Doc. 24), filed by Plaintiff Securities and Exchange Commission (the “SEC”) on July 27, 2021. In its Motion, the SEC seeks the entry of an order to show cause why the court should not approve the SEC’s proposed plan of distribution (the “Proposed Plan”) for collections in this matter. The court having reviewed the Motion determines that it should be and is, hereby, **granted** to the extent set forth in this order.

Accordingly, it is **ordered** that:

1. Within **seven (7) business days** of the issuance of this order, Strategic Claims Services, the appointed Distribution Agent for the UDF Fair Fund (the “Distribution Agent”), **shall** publish this order on the website established for this case (www.udffairfund.com) (the “Fair Fund Website”) along with a copy of the Proposed Plan;
2. Within **ten (10) business days** of this order, the Distribution Agent **shall** cause a summary notice to be published on GlobeNewswire, an internet-based newswire service;

3. The Distribution Agent **shall** provide a copy of this order and the Proposed Plan to the SEC for publication on the SEC's public webpage for this matter located at <https://www.sec.gov/divisions/enforce/claims/united-development-funding.htm> ("SEC Webpage"); and that
4. Publication as described, along with the publication of this order through the Court's ECF system, **shall** constitute and suffice as notice of the Proposed Plan and the opportunity to object to interested parties.

It is further ordered that individuals and entities that held limited partnership interests in United Development Funding IV ("UDF IV") and/or the common stock of UDF IV that was traded on the Nasdaq Global Select Market under the symbol UDFI during the period January 1, 2011, and December 31, 2015, inclusive ("Potentially Eligible Investor"), or other interested parties **shall** by **September 30, 2021** (the "Objection Due Date"), **show cause**, if there is any, why this court should not enter an order approving the Proposed Plan.

Objections **shall** be made by written correspondence and must be received by the Distribution Agent no later than **11:59 p.m. EST** on the Objection Due Date, at the following electronic mail address: Info@UDFFairFund.com

The correspondence **must** clearly state that the submitting entity is a Potentially Eligible Investor as defined above, or otherwise state fully and clearly the entity's interest in this matter, and the entity's objection(s) to the Proposed Plan. The submitting person or entity **must** include all documentation necessary to support the objection. Any and all factual assertions **must** be concluded with the following declaration, if true, followed by the submitting person's signature and the date of signature:

I declare pursuant to 28 U.S.C. §1746, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

All correspondence **must** include current contact information for the submitting person or entity, including, if available, an email address and mobile telephone number. Unresolved objections **shall** be publicly filed by the SEC with the court, as set forth below.

To the extent a submitting person or entity seeks to include in the person's or entity's submission sensitive information such as a social security number, financial account number, or home address, the person or entity should encrypt the submission prior to sending and send the password in a separate email, or submit it pursuant to the next paragraph.

If a submitting person or entity is unable to securely submit an objection by email, the person or entity may send the objection to the address below.

UDF Fair Fund
c/o Strategic Claims Services
600 N. Jackson St., Ste. 205
P.O. Box 230
Media, PA 19063

The submission **must** be received by the Distribution Agent no later than the Objection Due Date. **Failure to timely submit an objection in accordance with this order will result in the objection being waived. Proof of timely submission and receipt by the Distribution Agent will be the burden of the submitting entity.**

It is further ordered that, if no objections to the Proposed Plan are timely submitted:

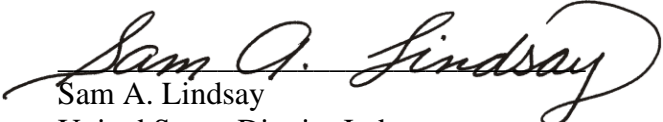
1. The SEC **shall** file a notice so advising the court (the "Notice"), accompanied by a copy of the Proposed Plan, as well as a proposed order approving the Proposed Plan.
2. The SEC **shall** post a copy of the Notice, Proposed Plan, and proposed order on the SEC Webpage.

3. The Distribution Agent also **shall** post a copy of the Notice, Proposed Plan, and proposed order on the Fair Fund Website. Upon receipt of such notice from the SEC, the court may enter an order approving the Proposed Plan without further notice or passage of time.

It is further ordered that, if objections are timely received pursuant to this order and cannot be resolved, the SEC **shall** file them, with sensitive information redacted, together with its response, within **sixty (60) days** after the Objection Due Date, with copies of its response served by electronic, First Class, or Overnight Mail upon any objecting party. The SEC may propose an amended plan. If the SEC proposes an amended plan between September 1, 2021, and September 30, 2021, the Objection Due Date will be automatically extended by an additional **thirty (30) days** from the date the amended plan is made available to Potentially Eligible Investors and interested parties. Any proposed amended plan and accompanying materials **must** be made available to all Potentially Eligible Investors and interested parties through the SEC Webpage and the Fair Fund Website. Such publication, along with the publication through the court's ECF system, **shall** constitute and suffice as notice of the amended plan.

If the court deems it necessary or appropriate, it may conduct a hearing before approving the Proposed Plan and any amended plan. Notice of any such hearing will be provided through the docket sheet in this case, the SEC Webpage, and the Fair Fund Website, or through other means that may be ordered by the court.

It is so ordered this 3rd day of August, 2021.


Sam A. Lindsay
United States District Judge