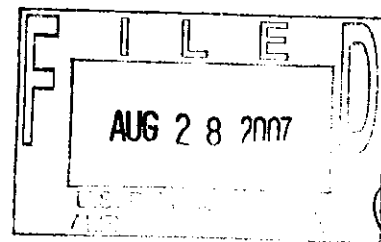


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



UNITED STATES SECURITIES AND, EXCHANGE COMMISSION)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:06CV1354
)	
INTERNATIONAL FIDUCIARY CORPORATION, et. al.,)	
)	
Defendants.)	
)	

ORDER

THIS MATTER is before the Court on the August 8, 2007 Report and Recommendation of Magistrate Judge Thomas Rawles Jones, Jr. regarding Plaintiff United States Securities and Exchange Commission's unopposed Supplemental Motion for Default Judgment. Judge Jones recommends that the Court grant Plaintiff's request for additional relief in the form of disgorgement and pre-judgment interest, and enter Plaintiff's "Proposed Final Judgment of Default against Defendant Daniel Eric Byer" and "Proposed Final Judgment of Default against Defendant Malcolm Cameron Boyd Stevenson." In addition, Judge Jones recommends that where Plaintiff has asked the Court to determine a civil penalty, the Court impose a penalty of \$100,000.

Federal Rule of Civil Procedure 72(b) provides that a magistrate judge may hear a dispositive motion, without the consent of the parties, and recommend the disposition of the matter to a district judge. FED. R. CIV. P. 72(b). A party must serve any

objections to the magistrate judge's recommendation within ten (10) days of being served with a copy of the order. *Id.* The district judge to whom a case is assigned should make a *de novo* determination on the record, or receive additional evidence, on any portion of the magistrate judge's disposition, to which a party has made a specific written objection. *Id.* Defendant Byer and Defendant Stevenson did not file an objection to Judge Jones's Report and Recommendation within ten days of service.

Seeing that no timely objection has been filed under 28 U.S.C. § 636 and Fed. R. Civ. P. 72(b), this Court adopts Judge Jones's Report and Recommendation, and enters Plaintiff's Proposed Final Judgment of Default against Defendant Daniel Eric Byer and Proposed Final Judgment of Default against Defendant Malcolm Cameron Boyd Stevenson. Accordingly, it is hereby

ORDERED that Plaintiff's request in its Supplemental Motion for Default Judgment for additional relief in the form of disgorgement and pre-judgment interest is GRANTED. It is further

ORDERED that Plaintiff is GRANTED disgorgement in the amount of \$3,122,243.00 as to Defendant Byer. Plaintiff is GRANTED disgorgement in the amount of \$5,929,802.00 as to Defendant Stevenson. It is further

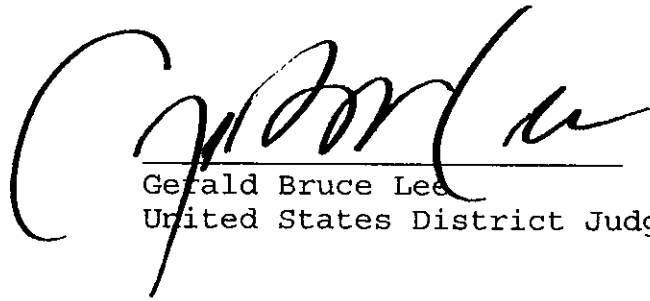
ORDERED that Plaintiff is GRANTED pre-judgment interest in the amount of \$104,907.36 as to Defendant Byer. Plaintiff is GRANTED pre-judgment interest in the amount of \$199,241.35 as to Defendant

Stevenson. It is further

ORDERED that a civil penalty in the amount of \$100,000.00 is imposed as to Defendant Byer. A civil penalty in the amount of \$100,000.00 is imposed as to Defendant Stevenson.

The Clerk is directed to forward a copy of this Order to counsel of record.

Entered this 28th day of August, 2007.



Gerald Bruce Lee
United States District Judge

Alexandria, Virginia
08²⁸/07