

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 88510 / March 30, 2020

ADMINISTRATIVE PROCEEDING
File No. 3-17740

In the Matter of	:	
	:	
	:	
AUGUSTINE CAPITAL	:	
MANAGEMENT, LLC (F/K/A	:	ORDER DIRECTING
AUGUSTINE CAPITAL	:	DISBURSEMENT OF FAIR FUND
MANAGEMENT, INC.), JOHN T.	:	
PORTER, and THOMAS F.	:	
DUSZYNSKI, CPA,	:	
	:	
	:	
Respondents.	:	

On November 29, 2018, the Commission issued a Notice of Proposed Plan of Distribution and Opportunity for Comment (“Notice”),¹ pursuant to Rule 1103 of the Commission’s Rules on Fair Fund and Disgorgement Plans (“Commission’s Rules”).² The Notice advised interested persons that they could obtain a copy of the Proposed Plan of Distribution (“Proposed Plan”) from the Commission’s public website or by submitting a written request to Michael S. Lim, Esq., United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-5876. The Notice also advised that all persons desiring to comment on the Proposed Plan could submit their comments, in writing, within 30 days of the Notice. The Commission received no comments on the Proposed Plan during the comment period. On March 18, 2019, the Commission issued an order approving the Plan of Distribution,

¹ Exchange Act Rel. No. 84675 (Nov. 29, 2018).

² 17 C.F.R. § 201.1103.

and simultaneously posted the approved Plan of Distribution (the “Plan”).³ The Plan provides for the distribution of the Fair Fund, plus accumulated interest, less taxes, fees, and expenses (the “Net Fair Fund”), to the Eligible Investors according to the methodology set forth in the Plan.

The Fund Administrator has submitted to Commission staff a payment file with a list of thirty-six (36)⁴ payees and their respective payment amounts. Commission staff has reviewed the payment file and requests that, pursuant to Rule 1101(b)(6) of the Commission’s Rules on Fair Fund and Disgorgement Plans,⁵ the Commission direct the payment of \$898,588.85 from the Fair Fund for distribution by the Fund Administrator as provided for in the Plan.

Accordingly, it is ORDERED that the Commission staff shall direct the payment of \$898,588.85 from the Fair Fund for distribution by the Fund Administrator to Eligible Investors as provided for in the Plan.

By the Commission.

Vanessa A. Countryman
Secretary

³ Order Approving Plan of Distribution, Exchange Act Rel. No. 85340 (Mar. 18, 2019).

⁴ The Plan identifies forty-five (45) Eligible Investors; however, only thirty-six (36) Eligible Investors remain eligible to receive a distribution payment.

⁵ 17 C.F.R. § 201.1101(b)(6).