

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA

v.

STERLING BANCORP, INC.,

Defendant.

No. 2:23-cr-20174-LVP-DRG

Honorable Linda V. Parker

**SECOND AMENDED ORDER GRANTING SPECIAL MASTER'S
REQUEST FOR
APPROVAL OF DISTRIBUTION OF RESTITUTION FUND**

Upon the request of Eric Schachter in his capacity as Special Master for an order approving the distribution of the Restitution Fund established for the benefit of the non-insider victim-shareholders:

IT IS HEREBY ORDERED:

1. The Special Master's determinations and recommendations as set forth in the Declaration of Eric Schachter in Support of Motion for Distribution Order of Restitution Fund (ECF No. 28) are approved.

2. The Special Master's Recommendation for Approval and Rejection of claims is approved, with 894 claims determined by the Special Master to be valid (ECF No. 28 ¶¶ 12, 14-16, Exhibit C).

3. The Distribution Plan for the Restitution Fund in the amount of \$27,239,000 proposed by the Special Master (ECF No. 28) is hereby approved.

4. Pursuant to the Judgment in this case (ECF No. 14), Sterling Bancorp, Inc. paid to the Clerk of the Court \$27,239,000.00 in restitution for the benefit of the non-insider victim-shareholders. The Special Master shall establish a distribution account and provide the distribution account information and Wire/ACH instructions to the Court and the Clerk of the Court, for distribution to the Special Master, Eric Schachter. It is ordered the Clerk of Court disburse Twenty-seven million, two hundred thirty-nine thousand and 00/100 dollars (\$27,239,000.00) to the Special Master, made payable to Special Master, Eric Schachter. Upon receipt of the \$27,239,000 from the Clerk of the Court, the Special Master shall administer the Restitution Fund and conduct the Initial Distribution as recommended in the Special Master's Distribution Plan. Three months after the Initial Distribution, the Special Master shall conduct a Second Distribution of any amounts remaining pursuant to the Distribution Plan. Any amounts remaining in the Restitution Fund six months after the Second Distribution, shall be paid to the United States for deposit into the Crime Victims Fund.

5. Upon notice to the Court that the procedures outlined herein have been complied with to the Court's satisfaction and that all remaining funds in the Restitution Fund have been distributed or otherwise paid to the United States for

deposit into the Crime Victims Fund, the Special Master is permitted to dissolve the Restitution Fund distribution account.

6. Consistent with the terms of the Plea Agreement (ECF No. 12 at ¶ 22) and Joint Restitution Order (ECF No. 15 at ¶ 7), all costs, fees, and expenses related to the Special Master's administration of the Restitution Fund or otherwise incurred in carrying out his duties under the Joint Restitution Order shall be negotiated between the Defendant and the Special Master, and submitted to the Court for approval. The Defendant shall pay in full these reasonable costs, fees, and expenses separate and apart from the Restitution Fund, without diminishing the monies available to claimants.

7. This Court retains jurisdiction over all matters covered by, or related to, this Order.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: March 28, 2025