

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:12-cv-00080-CEJ
)	
BURTON DOUGLAS MORRISS, et al.,)	
)	
Defendants, and)	
)	
MORRISS HOLDINGS, LLC,)	
)	
Relief Defendant.)	

**ORDER APPROVING AMENDMENT TO SETTLEMENT AGREEMENT
BETWEEN GRYPHON INVESTMENTS III, LLC AND JOHN S. WEHRLE,
GRYPHON INVESTMENTS II, LLC, AND CIRQUIT.COM, LLC**

This matter is before the Court on the *Motion for Approval of Amendment to Settlement Agreement Between Gryphon Investments III, LLC and John S. Wehrle, Gryphon Investments II, LLC, and Circuit.com, LLC* and memorandum in support thereof (ECF Nos. 478, 479; the “Motion”) filed by Claire M. Schenk, the court-appointed receiver (“Receiver”) for Acartha Group, LLC, Acartha Technology Partners, L.P., MIC VII, LLC, and Gryphon Investments III, LLC (collectively, the “Receivership Entities”). On August 8, 2016, the Receiver filed the Motion, seeking Court approval of the Receiver’s *First Amendment to December, 30, 2015 Agreement to Compromise, Settle and Release Claims* (the “Amendment to the Agreement”) against John S. Wehrle (“Wehrle”), individually and in his capacity as trustee of the John S. Wehrle Revocable Living Trust (the “Trust”), Gryphon Investments II, LLC (“Gryphon II”), and Circuit.Com, Inc. (“Circuit” and collectively, the “Wehrle Defendants”).

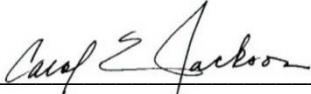
Having fully considered the Motion, any opposition thereto, and being duly advised as to the merits, the Court hereby finds the Amendment to the Agreement is reasonable, fair, and equitable. *U.S. Sec' & Exch. Comm'n v. Ruderman*, No. 2:09-CV-02974-ODW, 2013 WL 153266, at *2 (C.D. Cal. Jan. 15, 2013). The Amendment to the Agreement will allow the Receiver to exercise one of three reasonable options, each of which will move this matter closer to a wind up of the entire Receivership. The Amendment to the Agreement also will reduce the cost to the Receivership estate of managing and monitoring ongoing litigation and the Receivership's holding in Cirqit. Therefore,

IT IS HEREBY ORDERED THAT

1. The Receiver's motion for approval of amendment to settlement agreement between Gryphon Investments III, LLC, and John S. Wehrle, Gryphon Investments II, LLC, and Cirqit.com, LLC, [Doc. #478] is **GRANTED**.

2. The Amendment to the Agreement is approved. Furthermore, the Receiver is authorized to execute the Amendment and to take such acts as are necessary to effectuate one of the three listed options regarding the Cirqit shares in accordance with the Amendment to the Agreement.

Dated this 31st day of August, 2016.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE