

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
	:	
Plaintiff,	:	
	:	No. 09-CV-0063
v.	:	
	:	
JOSEPH S. FORTE and	:	
JOSEPH FORTE, L.P.,	:	
	:	
Defendants.	:	

COMMODITY FUTURES TRADING	:	
COMMISSION,	:	
	:	
Plaintiff,	:	
	:	No. 09-CV-0064
v.	:	
	:	
JOSEPH S. FORTE,	:	
	:	
Defendant.	:	

**REPORT CONCERNING THE RECEIVER’S
QUALITATIVE CLAIMS DETERMINATIONS**

On May 16, 2012, the Court issued an Order Setting a Claims Bar Date, Establishing Claims Resolution Procedures, and Approving Distribution Methodology (the “Bar Date Order”). Pursuant to the Bar Date Order, the Receiver submitted her Preliminary Quantitative Claims Report on August 15, 2012, providing her assessment of the validity and payment priority of each claim submitted. The Receiver subsequently submitted an Update to the Preliminary Quantitative Claims Report on September 27, 2012.

In addition to requiring a quantitative determination for each claim received, the Bar Date Order requires that the Receiver make a determination about each investor’s state of mind

regarding the fraud. The Bar Date Order provides that “[u]pon completion of all necessary discovery related to the Qualitative Claim Determination for each claimant, the Receiver shall send a Qualitative Claim Report to [each] claimant by first-class mail.” Bar Date Order at ¶10(g).

In the Receiver’s Seventh Report, filed on September 4, 2012, she included as an exhibit a proposed plan for Receivership Estate activities, which anticipated that the Receiver would communicate her qualitative claim determinations to claimants by December 31, 2012. *See* Exhibit 3 to Receiver’s Seventh Report. Although the Receiver has nearly completed her qualitative claim determinations, a few depositions remain to be taken. Furthermore, the Receiver believes that it would be in the best interests of the Receivership Estate to engage in further discussions with certain limited partners before formally communicating her qualitative claim determinations. The Receiver believes that such discussions might enable the parties to reach agreement concerning certain claims without litigation and thereby mitigate costs to the Receivership Estate. The Receiver anticipates formally communicating her qualitative claim determinations to claimants within the next sixty (60) days.

Dated: December 31, 2012

Respectfully submitted,

s/ Arlene Fickler

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**Counsel for Marion A. Hecht, as
Receiver for Joseph S. Forte and Joseph Forte,
L.P.**

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused a true and correct copy of the foregoing Report Concerning the Receiver's Qualitative Claims Determinations to be filed electronically and to be made available for viewing and downloading from the ECF system of the United States District Court for the Eastern District of Pennsylvania. The Receiver will also post a copy of this report on the Receivership website, www.fortereceivership.com.

Dated: December 31, 2012

s/ John R. Timmer
John R. Timmer