

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 52678 / October 26, 2005

ADMINISTRATIVE PROCEEDING
File No. 3-11515

In the Matter of

CHARLES W. CROUSE and
NORMAN R. HESS

Respondents.

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: ORDER APPROVING PLAN OF
: FUND DISTRIBUTION,
: APPOINTING ADMINISTRATOR,
: AND CONSOLIDATING
: SETTLEMENT FUNDS FOR
: ADMINISTRATION
:

On August 17, 2005, the Commission published a notice of the Plan of Disgorgement and Fair Fund Distribution (“Plan”) (Release No. 34-52279) proposed by the Division of Enforcement (“Division”) in this proceeding. The Commission orders that the \$34,384.65 paid by Norman R. Hess, comprised of disgorgement of \$17,783.17, prejudgment interest of \$6,601.48, and a civil penalty of \$10,000, and the \$74,945.71 to be paid by Charles W. Crouse, comprised of disgorgement of \$54,121 and prejudgment interest of \$20,824.71, be placed in a Fair Fund pursuant to Rule 1100 of the Commission’s Rules on Fair Fund and Disgorgement Plans. The proposed plan of distribution provides for distribution to investors who had money deposited into the account of Mark Drucker at Fidelity National Capital Investors, Inc. (#28309219, formerly Account #4G-01295-8) from the inception of the account in December 1997 through September 1999, or who otherwise participated in the investment scheme of Mark Drucker. The Commission received no comments in response to the publication of the Division’s proposed plan.

The Division proposes in its Plan that Nancy Chase Burton, Assistant Chief Litigation Counsel, Washington, DC Office, be designated as Administrator of the Plan. The Division also requests that the settlement funds in this proceeding be consolidated with the settlement fund in *In the Matter of Fidelity National Capital Investors, Inc.*, A.P. File No. 3-11514, for the purposes of distribution administration. Accordingly,

IT IS ORDERED that the Plan is approved;

IT IS FURTHER ORDERED that Nancy Chase Burton is appointed as Administrator of the Plan in accordance with the terms of the Plan; and

IT IS FURTHER ORDERED that the settlement funds in this proceeding be consolidated with the settlement fund in *In the Matter of Fidelity National Capital Investors, Inc.*, A.P. File No. 3-11514, for the purposes of distribution administration.

For the Commission, by its Secretary, pursuant to delegated authority.

Jonathan G. Katz
Secretary