# In the Matter of EZTD, INC. (formerly WIN GLOBAL MARKETS, INC.) UNITED STATES SECURITIES AND EXCHANGE COMMISSION File No. 3-17673

Web Address: www.EZTDFairFund.com Certification Deadline: October 3, 2023

#### DISTRIBUTION PLAN NOTICE OF EZTD FAIR FUND

This Notice is Pursuant to a Distribution Plan approved by the United States Securities and Exchange Commission. This is not a solicitation from a lawyer.

#### Dear Investor:

By Order dated July 7, 2023, the United States Securities and Exchange Commission (the "Commission") approved a distribution plan (the "Plan") by which to distribute the Fair Fund established in its administrative proceeding, In the Matter of EZTD, Inc., Admin. Proc. No. 3-17673, (the "EZTD Fair Fund"). The Plan is publicly available on the EZTD Fair Fund website at <a href="https://www.EZTDFairFund.com">www.EZTDFairFund.com</a>. Under the Plan, the EZTD Fair Fund will be distributed to compensate investors ("Investors") who were harmed by the Respondent's conduct described in the Order, in connection with EZTD's offers and sales of binary options to U.S. customers, between June 1, 2011 and August 31, 2014 ("Relevant Period").

You have been identified by the Fund Administrator as a Preliminary Claimant under the Plan based on its review and analysis of documents obtained by the Commission staff during its investigation, including account-level transactional records, who may have suffered a loss as a result of transactions in the Securities during the Relevant Period.

You may be eligible to receive a distribution from the EZTD Fair Fund under the Plan. To be considered for eligibility under the Plan, you must timely complete and submit the Preliminary Claimant Certification Form found on the Fair Fund website <a href="www.EZTDfairfund.com">www.EZTDfairfund.com</a>. Please use the login information at the top of this Notice to log in to your claim. <a href="mailto:To participate.you must certify your claim on or before October 3. 2023">www.EZTDfairfund.com</a>. If you are unable to complete the Preliminary Claimant Certification Form through the online portal available on that website, or if you would like to complete and submit a paper copy of the certification form, please immediately contact the Fund Administrator by phone at 1-855-660-1130 or by email to <a href="mailto:info@EZTDfairfund.com">info@EZTDfairfund.com</a>.

## **Background**

On November 10, 2016, the Commission issued the Order instituting and simultaneously settling administrative and cease-and-desist proceedings against the Respondent. In the Order, the Commission found that during the Relevant Period, the Respondent made offers and sales of binary options to U.S. customers through two online trading platforms, eztrader.com and globaloption.com. These binary options constituted securities under the federal securities laws. The Respondent, however, failed to register any of its offers and sales of binary options with the Commission and it failed to register with the Commission as a broker-dealer. The Commission ordered the Respondent to pay \$1,515,858 in disgorgement, \$57,691 in prejudgment interest, and a \$200,000 civil money penalty, for a total of \$1,773,549, to the Commission. The Commission also created the Fair Fund, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so the penalty paid, along with the disgorgement and interest paid, can be distributed to harmed investors. You can see a copy of the Order on the website for this matter: www.EZTDFairFund.com.

## **Fund Administrator**

On March 23, 2020, the Commission appointed Kurtzman Carson Consultants, LLC ("KCC") as the fund administrator for the Fair Fund (the "Fund Administrator"). The Fund Administrator is responsible for administering the Fair Fund in accordance with the Plan.

## **EZTD Fair Fund**

The EZTD Fair Fund constitutes a "Qualified Settlement Fund" ("QSF") under Section 468B(g) of the Internal Revenue Code of 1986, as amended, 26 U.S.C. § 468B(g), and related regulations, 26 C.F.R. §§ 1.468B-1 through 1.468B-5. Its distribution is intended to compensate investors harmed by the Respondent's operation of an unregistered national securities exchange.

## **Participation**

To be considered for eligibility to receive a Distribution Payment under the Plan, you must access the Fair Fund's website <a href="www.EZTDFairFund.com">www.EZTDFairFund.com</a> and complete the online Preliminary Claimant Certification Form with the Claim Number and PIN supplied above. All submissions must be received by October 3, 2023. If you are unable to access the online Preliminary Claimant Certification Form or would prefer to submit a paper copy of the certification form, please

immediately contact the Fund Administrator by phone at 1-855-660-1130 or by email to <u>info@EZTDfairfund.com</u>. A paper copy of the certification form will be provided upon request.

Participation in the EZTD Fair Fund does not require you to release any rights or potential claims you may have against the Respondent. A Preliminary Claimant who fails to provide a response to this Notice that is deemed sufficient by the Fund Administrator, including any information sought in the Preliminary Claimant Certification Form, shall be deemed unresponsive ("Unresponsive Preliminary Claimant"). Unresponsive Preliminary Claimants will not be eligible for a distribution under the Plan.

The Recognized Loss amount indicated on the top of this notice is based on your losses associated with the purchase of binary options through EZTD's two online trading platforms, eztrader.com and globaloption.com (the "Securities"), from June 1, 2011 through August 31, 2014 (the "Relevant Period"). However, this is not necessarily the amount you will receive. If the Net Available Fair Fund is less than the sum of the Recognized Losses of all Eligible Claimants, each Eligible Claimant's distribution amount will equal his, her or its "Pro Rata Percent" of the Net Available Fair Fund. For further information, please review the Plan of Allocation (Exhibit A to the Plan) at <a href="https://www.EZTDFairFund.com">www.EZTDFairFund.com</a>.

If you wish to dispute the calculation of your Recognized Loss amount, you must submit a written communication detailing any dispute and provide supporting documentation to the Fund Administrator with your Certification Form. Your dispute must be received on or before October 3, 2023. The Fund Administrator will investigate the dispute, and such investigation will include a review of the written dispute as well as any supporting documentation.

Excluded from the EZTD Fair Fund are (a) the Respondent, or Respondent's advisers, agents, nominees, assigns, creditors, heirs, distributees, spouses, parents, children, or controlled entities; (b) the Fund Administrator, its employees, and those Persons assisting the Fund Administrator in its role as the Fund Administrator; and (c) any purchaser or a signee of another Person's right to obtain a recovery from the Fair Fund for value; provided, however, that this provision shall not be construed to exclude those Persons who obtained such a right by gift, inheritance or devise.

## Questions

If you have any questions about the EZTD Fair Fund or the distribution, or if you would like to obtain copies of relevant documents, including this Plan Notice, or the Plan, please visit the Fair Fund website at www.EZTDFairFund.com. A copy of the Plan is also available on the SEC website for this matter at https://www.sec.gov/enforcement/information-for-harmed-investors/eztd. You may also submit questions to the Fund Administrator by phone at 1-855-660-1130 or by email to info@EZTDfairfund.com.

## Reminder

If you wish to be considered for eligibility for a Distribution Payment under the Plan, you must go to <a href="https://www.EZTDFairFund.com">www.EZTDFairFund.com</a> to complete the online Preliminary Claimant Certification Form. To login, please use your Claim Number and PIN provided at the top of this notice. **You must certify your claim on or before October 3, 2023 in order to participate.** 

If you wish to receive a translated copy of this Notice, please reach out to the Fund Administrator using the contact information at the end of this Notice.

IF YOU SUBMIT DOCUMENTS OR INFORMATION THAT CONTAIN PERSONAL INFORMATION BY EMAIL, PLEASE USE ENCRYPTION TO MAINTAIN YOUR PRIVACY. IF YOU HAVE ANY CONCERNS REGARDING YOUR ABILITY TO ENCRYPT WHAT YOU ARE SENDING, PLEASE SEND THE DOCUMENTS OR INFORMATION BY MAIL.

The Fund Administrator's contact information is:

Email: info@EZTDfairfund.com Phone: 1-855-660-1130

**Physical Address:** 

EZTD Fair Fund P.O. Box 6159 Novato, CA 94948-6159

Very truly yours,

Kurtzman Carson Consultants, LLC Fund Administrator