



1:10-CV-457

April 18, 2019

David L. Smith 19471-052
Federal Medical Center - Downs
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Box 879
Ayer, MA 01432

Honorable Gary L. Sharpe, Senior U.S. District Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 112
Albany, N.Y. 12207

Dear Judge Sharpe,

At my request, my son, Geoffrey R. Smith, contacted your office on April 17th and spoke to your clerk. I was seeking some clarification regarding the procedure required for a rejoinder to the response of the Plaintiff/SEC to my Motion filed before your Court on February 20, 2019.

Your clerk was most gracious and helpful in answering Geoff's questions. Geoff was informed that it was not customary for the initiator of the Motion to have an opportunity to reply to the other party's response. However, upon request to the Court, that opportunity may be granted at the discretion of the presiding Judge.

It is my belief that the respondent SEC made several incorrect and misleading statements in support of their arguments. Therefore, I am requesting the opportunity to correct those statements and contend others in an effort to support the arguments contained in my Motion. My response will be brief, approximately 5-6 pages, and timely if you are persuaded to grant my petition.

I thank you for any consideration you may render for my proposal.

Respectfully,

Daved L. Smith

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