



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

New York Regional Office
Brookfield Place, 200 Vesey Street, Suite 400
New York, NY 10281-1022

October 16, 2019

BY ECF

The Honorable Gary L. Sharpe, Chief Judge
United States District Court
James T. Foley United States Courthouse
Albany, New York 12207

Re: *SEC v. McGinn, Smith & Co., Inc., et al.*, 10 CV 457 (GLS)(CFH)

Dear Judge Sharpe:

Plaintiff Securities and Exchange Commission ("SEC") respectfully submits this letter to request a one week adjournment, from Monday, October 21, 2019 to Monday, October 28, 2019, of its time to respond to Lynn Smith's Motion to Modify Asset Freeze to Allow the Release of Certain Property (Dkt. No. 1073). I am the SEC attorney who has been handling this and related motions. I am currently out on medical leave. I am not due to return to the office until October 21, 2019, the day the response to Lynn Smith's Motion is due. Accordingly, I respectfully request a one-week adjournment of the SEC's time to respond to Lynn Smith's motion so that I can have sufficient time to address it upon my return from medical leave.

Lynn Smith and the Receiver, who respectfully requests that the same response date be applied to him, have consented to this request.

Respectfully submitted,

/s/ David Stoelting

cc. Lynn Smith (by email and ECF)