



NEW YORK
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400
NEW YORK, NY 10281-1022

June 25, 2021

BY ECF

The Honorable Gary L. Sharpe
United States District Judge
United States District Court
Northern District of New York
United States Courthouse
Albany, New York 12207

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

Dear Judge Sharpe:

The SEC's response to Defendant David Smith's Rule 60(b) motion (DE 1195) was due on June 24, 2021. Unfortunately, due to unexpected technical issues that we encountered in finalizing the SEC's brief, we were unable to meet the midnight filing deadline. We therefore respectfully request a brief extension of time to allow us to file the brief on June 25, 2021. This is the SEC's first request for an extension of time to respond to Defendant's motion.

Respectfully submitted,

/s David Stoelting

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