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Jill A. Dunn

Admitted in New York
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August 24, 2010

Via CM/ECF Only

Hon. David R. Homer
United States Magistrate Judge
445 Broadway
Albany, NY 12207

Re: SEC v. McGinn, Smith, et al.
10-CV-457 (GLS/DRH)

Dear Judge Homer:

Counsel for the represented parties have discussed the current briefing schedule for the pending motion, the appearance of the newly named parties and the time to respond to the Amended Complaint and have mutually agreed to seek a modification of the briefing deadlines set forth in your August 16, 2010 Order to allow for the filing of all responses to plaintiff's motion for reconsideration on or before **September 3, 2010** and the filing of plaintiff's reply thereto on or before **September 14, 2010**. All other provisions of the Order would remain unchanged. A proposed Order is provided for your consideration.

Thank you for your consideration.

Very truly yours,

THE DUNN LAW FIRM PLLC

By: *s/Jill A. Dunn*
Jill A. Dunn
Bar Roll No. 506942

JAD/jc

Cc: Counsel of Record (via CM/ECF only)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

McGINN, SMITH & CO., INC., et al.,

**Case No.: 1:10-CV-457
(GLS/DRH)**

Defendants.

ORDER

The Order entered by this Court on August 16, 2010 (Document 118) is hereby modified as follows:

2. Plaintiff's motion for reconsideration of this Court's decision unsealing the assets of the defendant Trust shall proceed according to the following schedule:

a. The Trust and any other defendants, relief defendants and intervenors shall file and serve any papers in opposition to plaintiff's motion on or before **September 3, 2010**;

b. Plaintiff may file and serve any reply papers thereto on or before **September 14, 2010**; and

c. A further conference will be scheduled following the filing of these papers to determine a schedule for completion of the litigation regarding this motion.

IT IS SO ORDERED.

Dated: August ____, 2010
Albany, New York

United States Magistrate Judge