

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

No. 10-CV-457
(GLS/DRH)

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

ORDER

An order was previously entered scheduling an evidentiary hearing on plaintiff's motion for reconsideration for November 4, 2010. Dkt. No. 150. During a telephone conference on October 15, 2010 with counsel for plaintiff and for the defendant Trust, counsel for the Trust requested an adjournment of that hearing to accommodate a prior personal commitment. Good cause appearing for the request, it will be granted. Accordingly, it is hereby

ORDERED that:

1. The evidentiary hearing previously scheduled for November 4, 2010 is hereby adjourned to **November 16, 2010 at 9:15 a.m.**; and
2. On or before **November 12, 2010**, plaintiff and the Trust shall file (a) a list of the witnesses whom that party intends to call to testify at the hearing and (b) a list of any exhibits which the party intends to offer in evidence during the hearing.¹

IT IS SO ORDERED.

Dated: October 19, 2010
Albany, New York



United States Magistrate Judge

¹Copies of any such exhibits not previously provided to opposing counsel shall be furnished to opposing counsel on or before **November 12, 2010**.