

The Dunn Law Firm PLLC

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Jill A. Dunn

Admitted in New York  
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August 2, 2010

**Via 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:

As discussed during a telephone conference conducted on the record with the Court and counsel for the parties on Tuesday, October 26, 2010 at 9:00a.m., I requested, on behalf of the Trust defendants, a 30-day extension of time to file an answer or otherwise move against the Amended Complaint, and counsel for the plaintiff and all defendants indicated their consent to said extension during that call.

Enclosed please find for your consideration a proposed Order memorializing that extension agreement. This Order would modify the Text Order you entered on September 27, 2010.

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 ECF)  
Nancy McGinn (via email and regular mail)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

*Plaintiff,*

vs.

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

*Defendants.*

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

**ORDER**

The deadline for all defendants to file an answer or otherwise move with respect to the Amended Complaint [100] is hereby extended to DECEMBER 15, 2010.

SO ORDERED.

\_\_\_\_\_, 2010  
Albany, New York

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Magistrate Judge David R. Homer