

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

ELECTRONIC CERTIFICATION OF NON-ELECTRONIC DOCUMENT(S)

Dear Clerk of Court,

Pursuant to the request of the United States Court of Appeals, the below-listed non-electronic document(s) are being sent by mail.

Case Name: 1:10-cv-457-GLS-DRH
District Court Case No.: SEC v. McGinn Smith & Co., et al.
Court of Appeals Case No.: 11-684-cv
Docket No.(s) 193 and 246

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Albany, New York, this 3rd day of March, 2011.

Lawrence K. Baerman, Clerk
U.S. District Court

By: s/Maria A. Blunt
Deputy Clerk