

**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

Presently pending is the motion of plaintiff Securities and Exchange Commission for an order compelling the law firm of Lavelle & Finn, LLP to comply with subpoenas served on it on April 7, 2011 and June 21, 2011. Dkt. No. 338. A telephone conference was held on July 7, 2011 with counsel for plaintiff, the law firm and defendant David Smith and Lynn Smith to establish a schedule for this motion. As directed during that conference, it is hereby

ORDERED that:

1. Any opposition to the motion shall be filed on or before **August 12, 2011**;
2. Any reply shall be filed on or before **August 26, 2011**;
3. The motion shall be returnable on **September 9, 2011 at 9:30 a.m.** but shall be taken on submission without oral argument.

IT IS SO ORDERED.

Dated: July 8, 2011
Albany, New York



United States Magistrate Judge