

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

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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

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

Defendants.  
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**ORDER**

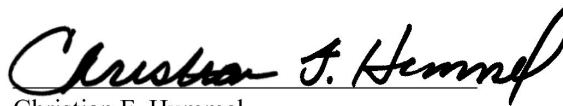
A conference was held with counsel for all parties on April 30, 2013. During the conference the Court granted the attorneys for Lynn Smith and the Trust permission to move for relief based upon the decision of the Second Circuit in S.E.C. v. Smith, 710 F.3d 87 (2d Cir. 2013).

As directed during that conference, it is hereby **ORDERED** that:

1. The attorneys for Lynn Smith and the Trust shall file their motion by May 21, 2013;
2. All papers in opposition to that motion shall be filed by June 4, 2013; and
3. Reply papers shall be filed by June 11, 2013.

**IT IS SO ORDERED.**

Dated: April 30, 2013  
Albany, NY

  
Christian F. Hummel  
U.S. Magistrate Judge