



DREYER BOYAJIAN LLP
ATTORNEYS AT LAW

William J. Dreyer, Esq.
(518) 463-7784 Ext. 239
wdreyer@dreyerboyajian.com

October 17, 2013

Via ECF

Honorable Christian F. Hummel
United States Magistrate Judge
United States District Court – NDNY
James T. Foley U.S. Courthouse
445 Broadway, Room 441
Albany, New York 12207

Re: SEC v. McGinn Smith & Co., Inc., et al
10-CV-457 (GLS/CFH)
Motion to Pay Transcript Costs

Dear Judge Hummel:

The Court's September 5, 2013 Order provided for a motion deadline to file David Smith's Motion to Pay Transcript Costs by tomorrow, October 18, 2013. We are respectfully requesting a one week extension to October 25, 2013 to submit our motion. Due to Mr. Smith's recent transfer out of Albany County Correctional Facility on October 10, 2013, our motion papers, including a declaration for his signature, were not received by him. Once we learned from the Bureau of Prisons that Mr. Smith was transferred to the Brooklyn Metropolitan Detention Center, we immediately mailed the motion papers to him on October 11, 2013.

Mr. Smith has communicated that he mailed his signed declaration to my office today, however it may not be received by tomorrow's mail and thus we are requesting one additional week to ensure receipt. Through Mr. Stoelting, the SEC has kindly agreed to this request.

Respectfully submitted,

DREYER BOYAJIAN LLP

By: /s/ William J. Dreyer

William J. Dreyer