



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

New York Regional Office
Brookfield Place, 200 Vesey Street, Suite 400
New York, NY 10281-1022

DIVISION OF
ENFORCEMENT

David Stoelting
Senior Trial Counsel
(212) 336-0174 (direct)
(212) 336-1324 (fax)

October 30, 2013

BY ECF

The Honorable Christian F. Hummel
United States Magistrate Judge
United States District Court
Northern District of New York
United States Courthouse
Albany, New York 12207

Re: SEC v. McGinn, Smith & Co., Inc., et al., 10 CV 457 (GLS)(DRH)

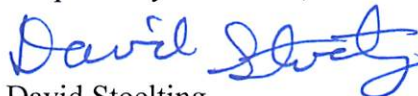
Dear Judge Hummel:

I write regarding conflicting due dates with respect to further briefing on the motion for attorney fees/release of funds filed by Mr. Featherstonehaugh on October 18, 2013.

The Order entered Sept. 3, 2013 (Dkt. 589) states that the SEC's response is due Nov. 12, with replies by Nov. 19. However, a Text Notice entered Oct. 22, 2013, states that the SEC's response is due Nov. 8, with replies by Nov. 15.

We respectfully request that the Court indicate whether the parties are to adhere to the briefing dates in the Order or in the Text Notice. Thank you.

Respectfully submitted,


David Stoelting

cc (by e-mail and ECF): All counsel
Nancy McGinn