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March 5, 2015

Via ECF

Hon. Gary L. Sharpe, Chief Judge
James T. Foley U.S. Courthouse
445 Broadway, 1st Floor
Albany, NY 12207

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

Dear Judge Sharpe:

On behalf of David Smith, and upon the consent of the SEC (Mr. Stoelting, of counsel), we request an extension of time to file a response to the SEC's supplemental motion papers, including its memorandum of law, in support of its request for disgorgement et al, that is, from Tuesday, March 10, 2015, until Monday March 16, 2015. We also request that the Court grant the SEC's request to unseal the redacted portion of Exhibits 2, 3a, and 3b of William Brown's Declaration, so that we may review the unredacted exhibit before our filing date. Mr. Stoelting advised me this morning that he is prepared to provide us with an unredacted version of the exhibit if the court so orders it.

Respectfully submitted,

DREYER BOYAJIAN LLP

By: A handwritten signature in cursive script that reads "William J. Dreyer".

William J. Dreyer

WJD/lab

cc: Service List via ECF and/or Regular Mail

J:\WJD\Smidav-11004 [SEC matter]\Correspondence\Sent\Judgecor - ltr to J. Sharpe req ext to file response to SEC's supp mtn papers.doc