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February 19, 2016

*VIA ELECTRONIC FILING*

The Honorable Gary L. Sharpe  
United States District Court Northern District of New York  
James T. Foley Courthouse  
445 Broadway  
Albany, New York 12207

**Re: Securities and Exchange Commission v. McGinn, Smith & Co., Inc., et al.  
Case No. 1:10-CV-457 (GLS/CFH)**

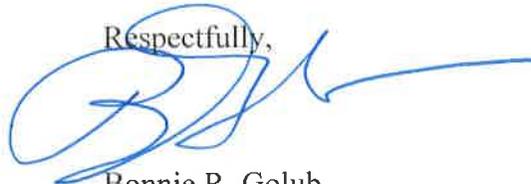
Dear Judge Sharpe:

This firm represents forty-four (44) Third Party Recovery Investors of McGinn Smith (the "Investors"). On February 16, 2016, these Investors filed an Objection (the "Objection") to the Receiver's Proposed Plan of Distribution [Doc. #862]. We are writing to update the Court on the status of the Investors' efforts to file certain documents and information under seal.

As represented in the February 16, 2016 filing, the specific details relevant to the Objection are subject to certain confidentiality provisions. However, in order to meet the February 16, 2016 filing deadline, the Objection was filed in its current form, without reference to such confidential information. As such, it will be necessary to supplement the Objection by filing an amended/supplemental declaration and supporting documents under seal.

We anticipate that the Investors' Application to File Under Seal, together with the necessary documents, will be submitted to the Court no later than Wednesday, February 24, 2016. Should the Court require any further information, we will certainly provide same.

Respectfully,



Bonnie R. Golub

BRG/iam