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C O U N S E L O R S A T L A W

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March 24, 2017

Via ECF

Hon. Gary L. Sharpe
James T. Foley U.S. Courthouse
445 Broadway, First Floor
South Albany, NY 12207

**Re: *SEC v. McGinn Smith & Co., Inc. et al.*, U.S.D.C. for the Northern District of
New York, No.: 1:10-CV-457-GLS-CFH**

Dear Judge Sharpe:

This firm represents fifty-five investors (the "Moving Investors") who are claimants in the above-captioned receivership action, and are also plaintiffs in the matter of *Cupersmith et al. v. Piaker & Lyons, et al.*, Case No. 3:14-cv-01303-TJM-DEP (the "Piaker Action"). On March 3, 2017 the Moving Investors filed a motion in this Court for an order to enforce compliance by the Receiver with the Court-approved plan of distribution (the "Motion") (Doc. No. 911). The Receiver filed a response in opposition to the Motion on March 20th (Doc. No. 915).

The Moving Investors now seek leave pursuant to Local Rule No. 7.2(b)(2) to file a short reply brief to address several points raised by the Receiver in his response to the Motion. May this correspondence serve as a letter motion for leave to file the Moving Investors' proposed reply brief, a copy of which is attached to this letter motion as Exhibit "A."

As always, the parties greatly appreciate the Court's time and courtesies.

Sincerely,

Edward T. Kang

ETK:DPD:mal

Enclosure

c.c. All counsel of record (*via ECF*)