



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

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DIVISION OF
ENFORCEMENT

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November 6, 2017

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:

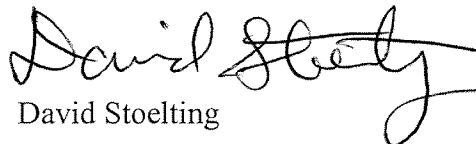
I write to request permission to file a proposed Consent Order under seal. The proposed Consent Order, which concerns the disposition of an asset of David and Lynn Smith, contains Confidential Information which if made public would be harmful to the purposes of the Consent Order.

The Receiver and counsel to David and Lynn Smith have agreed to the Consent Order and to my requesting and obtaining a sealing order.

Accordingly, I respectfully request that the Court order that the proposed Consent Order be filed under seal with the Court (with copies simultaneously being made available to the Receiver and counsel for David and Lynn Smith).

I respectfully request that the Court so order this relief by So Ordering this letter where indicated below.

Respectfully submitted,


David Stoelting

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The proposed Consent Order referenced above shall be filed under seal by the SEC with copies to be provided to the Receiver and to counsel to David and Lynn Smith.

So ordered:

Hon. Christian F. Hummel
United States Magistrate Judge

Dated: November __, 2017

cc (by e-mail): William J. Brown, Esq.
James Hacker, Esq.
Michael Kornstein, Esq.
Michael Kinum, Esq.