

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

MOTION FOR
ADMISSION PRO
HAC VICE

10 Civ. 457 (GLS/CFH)

McGINN, SMITH & CO., INC.,
McGINN, SMITH ADVISORS, LLC,
McGINN, SMITH CAPITAL HOLDINGS CORP.,
FIRST ADVISORY INCOME NOTES, LLC,
THIRD ALBANY INCOME NOTES, LLC,
TIMOTHY M. McGINN, DAVID L. SMITH,
LYNN A. SMITH, DAVID M. WOJESKI, Trustee
of the David L. and Lynn A. Smith Irrevocable
Trust U/A 8/04/04, GEOFFREY R. SMITH,
LAUREN T. SMITH, and NANCY McGINN.

Defendants,

LYNN A. SMITH, and NANCY McGINN,

Relief Defendants, and

DAVID M. WOJESKI, Trustee of the David L.
and Lynn A. Smith Irrevocable Trust U/A 8/04/04,

Intervenor.

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Based on the accompanying Sponsor Declaration, Attorney Registration
Form, Petition for Admission to Practice, and Certificate of Good Standing from the

U.S. District Court for the Southern District of New York, the undersigned hereby moves that Justin S. Weddle be admitted *pro hac vice* in this matter as an attorney for David Smith.

Dated: New York, New York
May 24, 2021

Respectfully submitted,

Brian M. Feldman
HARTER SECRET & EMERY LLP
1600 Bausch & Lomb Place
Rochester, NY
(585) 231-1201
bfeldman@hselaw.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Petition of : Justin S. Weddle

DECLARATION
OF
SPONSOR

STATE OF NEW YORK Monroe
COUNTY OF _____

Brian M. Feldman, being duly sworn, depose and say:

1. That I am an attorney associated with the law firm of Harter Secrest & Emery,
and am a member in good standing with the United States District Court for the Northern District of
New York. My NYND Bar Roll Number is: 517328.
2. I make this Declaration in support of the admission of Justin S. Weddle.
3. I have known Justin S. Weddle since 2010,
and find him / her to be of high moral character and suitable for admission to the United States District
Court for the Northern District of New York.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 24, day of May, 2021.

Brian M. Feldman  
SPONSOR

United States District Court  
Northern District of New York

NEW ATTORNEY E-FILING REGISTRATION FORM

Enter your full name, as it will appear on your official Admission Certificate. Select your method of admission and enter the required information. Complete and sign the Oath on Admission.

NAME: Justin S Weddle Sr. Jr. II III  
First Middle Last

- STANDARD ADMISSION see L.R. 83.1(a) Applicants who are not admitted to practice in the Federal Courts of New York.
- RECIPROCAL ADMISSION see L.R. 83.1(c) A member in good standing of the bar of the U.S. District Court for the Eastern, Western or Southern District of New York. [DECLARATION OF SPONSOR NOT REQUIRED]
- PRO HAC VICE ADMISSION see L.R. 83.1(d) Motion for Limited Admission Pro Hac Vice in 10 Civ. 457 Applicant required to file a Pro Hac Vice access request in PACER. (case number) Email address jweddle@weddlelaw.com
- FEDERAL GOVERNMENT ADMISSION see L.R. 83.1(e) Attorney appointed under 28 U.S.C. Section 541-543, or employed by the U.S. Government, who is admitted to practice in other Federal Districts Attorney in the employ of the United States Government who is not admitted in other Federal Districts [CERTIFICATE OF GOOD STANDING REQUIRED]
- SPECIAL ADMISSION CEREMONY scheduled on / / in , NY. Sponsored by the Federal Court Bar Association. [ORDER & DECLARATION OF SPONSOR NOT REQUIRED]
- BIENNIAL READMISSION TO THE NORTHERN DISTRICT OF NEW YORK IN ACCORDANCE WITH LOCAL RULE 83.1(a)5.

Oath on Admission

I, Justin S. Weddle, do solemnly swear (or affirm) that as an attorney and counselor of this Court, I will conduct myself uprightly and according to law and that I will support the Constitution of the United States.

Dated: 05 / 17 / 2021

Justin S. Weddle  
Attorney Signature



## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

## Petition for Admission, pursuant to Local Rule 83.1(a)

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK  
I submit the following personal statement for admission to the Bar of the U.S. District Court for the Northern District of New York.

## Personal Statement (Personal Information, Business Information, Good Standing, Education)

## Personal Information

(Please enter your full name, including suffix, e.g. Sr., Jr., II, III, etc.)

|                       |                    |                      |         |
|-----------------------|--------------------|----------------------|---------|
| First Name:<br>Justin | Middle Name:<br>S. | Last Name:<br>Weddle | Suffix: |
|-----------------------|--------------------|----------------------|---------|

Residence Address:

1864 Ditmas Ave.

|                   |                    |               |                  |
|-------------------|--------------------|---------------|------------------|
| City:<br>Brooklyn | State:<br>New York | Zip:<br>11226 | County:<br>Kings |
|-------------------|--------------------|---------------|------------------|

## Business Information

Affiliation/Firm:

Weddle Law PLLC

Address:

250 W. 55th Street, Fl. 30

|                   |                    |               |                     |
|-------------------|--------------------|---------------|---------------------|
| City:<br>New York | State:<br>New York | Zip:<br>10019 | County:<br>New York |
|-------------------|--------------------|---------------|---------------------|

E-Mail:

jweddle@weddlelaw.com

|                   |                                   |                                 |
|-------------------|-----------------------------------|---------------------------------|
| Title:<br>Founder | Date of Employment:<br>05/01/2019 | Firm Telephone:<br>212-859-3492 |
|-------------------|-----------------------------------|---------------------------------|

## Good Standing

List jurisdictions &amp; dates admitted &amp; any attorney bar codes or state registration numbers.

New York (6/19/1996, 2743813); Massachusetts (1/23/1996, 629766); U.S. Supreme Court (3/7/2016, 297481); 2d Circuit (10/12/2000); 3d Cir. 01/17/2017); 10th Cir. (02/03/2017); 11th Cir. (08/26/2015); D.C. Cir. (03/31/2017); 1st Cir. (10/12/2018, 1186209); SDNY (03/13/1997, JW2521); EDNY (12/21/2015, JW2521)

Have you ever been convicted of a misdemeanor or felony?

 Yes  No

Are there any disciplinary proceedings presently pending against you?

 Yes  No

Have you ever been censured or suspended from practice before any court?

 Yes  No

Have you ever been denied admission or readmission to the bar of any court?

 Yes  No

If you answered "Yes" to any of the above questions, you must attach a separate statement explaining the nature of any such actions or proceedings.

## Education

| Name of Law School<br>City and State where located | Dates of Attendance<br>From To (Month/Year) | Type of Degree Received | Date Degree Received<br>or Expected |
|----------------------------------------------------|---------------------------------------------|-------------------------|-------------------------------------|
| Columbia Law School, NY, NY                        | 08/1992-05/1995                             | J.D.                    | 05/1995                             |
|                                                    |                                             |                         |                                     |

Are you currently or have you ever been a law clerk to a District Judge or Magistrate Judge? If yes, give name and title of Judge and specify dates and location:

Yes. The Honorable Peter K. Leisure, U.S. District Judge, S.D.N.Y., 08/1995-09/1996

I have read and am familiar with: The Judicial Code (Title 28 U.S.C.); the Federal Rules of Civil Procedure and the Federal Rules of Evidence for the District Courts; the Federal Rules of Criminal Procedure for the District Courts; the Local Rules and General Orders for the Northern District of New York; and the N.Y.S. Rules of Professional Conduct and will faithfully adhere thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Signature

05/17/2021

Date

**Justin S. Weddle**

**Additional Statement Relating to NDNY Petition for Admission**

From February 2008 through June 2010, while employed by the United States Department of Justice, I was posted overseas in Bucharest, Romania as the U.S. DOJ Resident Legal Advisor. At that time, my Massachusetts Bar membership was “inactive.” During that time, my tenant at my Brooklyn, New York, apartment did not inform me that I had received mail at my apartment. Thus, I did not receive or respond to notices from the Massachusetts Board of Bar Overseers, and as a result, I was administratively suspended from the Massachusetts Bar. Upon returning to the United States and discovering this administrative suspension on July 1, 2010, I promptly moved for reinstatement, and on July 12, 2010, my administrative suspension was terminated and I was reinstated. I am now an active member of the Massachusetts Bar in good standing.

**United States District Court**  
**Southern District of New York**

**Certificate of Good Standing**

I, *Ruby J. Krajick*, Clerk of Court, Certify that

JUSTIN S WEDDLE, Bar # JW2521

was duly admitted to practice in the Court on

March 13, 1997

and is in good standing as a member of the Bar of this Court

Dated at

500 Pearl St.  
New York, New York

On

May 18, 2021



Ruby J. Krajick  
Clerk of Court

By

s/ V. Bart

Deputy Clerk