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February 16, 2016

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

Re: Securities and Exchange Commission v. McGinn, Smith & Co., Inc., et al.
Case No. 1 :10-CV-457 (GLS/CFH)
Letter Motion for Extension of Time to File Under Seal

Dear Judge Sharpe:

This firm represents forty four (44) McGinn Smith investors who intend to file: (i) an objection (the "Objection") to the Receiver's motion to approve the distribution plan [Dkt. No. 84 7]; and, (ii) supporting declaration ("Declaration").

We have recently discovered that the specific information relevant to the Objection and Declaration are subject to a Confidentiality Agreement between our clients and a third party. In order to maintain compliance with both the Confidentiality Agreement and the February 16, 2016 deadline, we are prepared to file the Objection and Declaration later today. However, the confidential information relevant to the Objection and Declaration is being filed pursuant to an Application to File Under Seal.

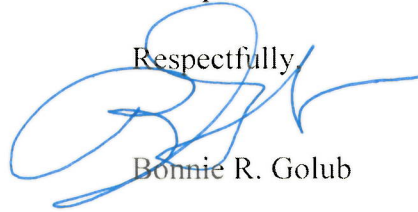
We therefore write to join in the request of Stephen Fowler's counsel, Sheldon L. Solow, Esquire, for an extension of time to file and serve the Objection and Declaration. A copy of Mr. Solow's request is attached to this letter.

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We appreciate the Court's consideration of this request.

Respectfully



Bonnie R. Golub

The deadline to file and serve responses to the Receiver's motion to approve the distribution plan [Dkt. No. 847] is hereby extended for the Objection and Declaration (as defined above). The Objection and Declaration must be served within two (2) business days after the Court's ruling on the Motion to File Under Seal.

SO ORDERED:

Gary L. Sharpe
United States District Judge

Dated February __, 2016

cc: Service List via ECF