



the admission of Mr. Smyser as attorney *pro hac vice* as of the date of this Order or such other date as the Court may deem appropriate. There are no pending disciplinary proceedings against Mr. Smyser in any state or federal court.

Dated: March 8, 2017

Respectfully submitted,

By: /s/ Tyler G. Doyle

SMYSER KAPLAN & VESELKA, L.L.P.

Tyler G. Doyle (TD3160)

New York Bar No. 4372637

tydoyle@skv.com

700 Louisiana, Suite 2300

Houston, Texas 77002

713-221-2300

713-221-2320 (fax)

**ATTORNEYS FOR NON-PARTY  
RICHARD SCHMIDT**

# STATE BAR OF TEXAS



*Office of the Chief Disciplinary Counsel*

March 06, 2017

Re: Mr. Craig Smyser, State Bar Number 18777575

To Whom It May Concern:

This is to certify that Mr. Craig Smyser was licensed to practice law in Texas on November 24, 1980, and is an active member in good standing with the State Bar of Texas. "Good standing" means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension from the practice of law.

This certification expires 30 days from the date, unless sooner revoked or rendered invalid by operation of rule or law.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Acevedo", with a stylized flourish at the end.

Linda A. Acevedo  
Chief Disciplinary Counsel  
LA/web



# The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

**Craig Smyser**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 24th day of November, 1980.

I further certify that the records of this office show that, as of this date

**Craig Smyser**

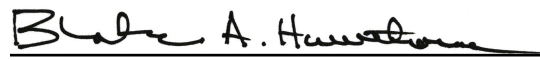
is presently enrolled with the State Bar of Texas as an active member in good standing.

**IN TESTIMONY WHEREOF** witness my signature



and the seal of the Supreme Court of Texas at the City of Austin, this, the 6th day of March, 2017.

BLAKE HAWTHORNE, Clerk

  
Clerk, Supreme Court of Texas

No. 6542C.1

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----  
SECURITIES AND EXCHANGE §  
COMMISSION, §  
Plaintiff, §

vs. §

§ CIVIL ACTION NO. 16-cv-6848

PLATINUM MANAGEMENT (NY) LLC; §  
PLATINUM CREDIT MANAGEMENT, §  
L.P.; MARK NORDLICHT; DAVID LEVY; §  
DANIEL SMALL; URI LANDESMAN; §  
JOSEPH MANN; JOSEPH SANFILIPPO; §  
and JEFFREY SHULSE, §  
Defendants. §

AFFIDAVIT OF CRAIG SMYSER  
IN SUPPORT OF MOTION FOR LEAVE  
TO APPEAR *PRO HAC VICE* AND  
REQUEST FOR RETROACTIVE  
ADMISSION TO *APPEAR PRO HAC  
VICE*

Craig Smyser, being duly sworn, hereby deposes and says as follows:

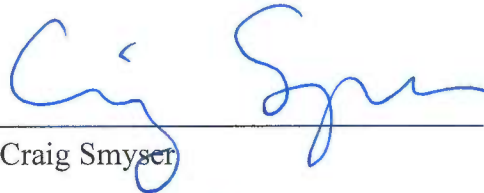
1. I am a partner with the law firm of Smyser Kaplan & Veselka, LLP. (“SKV”).
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. I previously filed a Motion to Leave to Appear Pro Hac Vice [28] which the Court denied on March 3, 2017. Although I had paid the pro hac vice fee in support of my motion, the Court noted that I had failed to file a Certificate of Good Standing in the State Bar of Texas as required. On January 13, 2017, I mailed a Certificate of Good Standing in the State Bar of Texas to the Court (Exhibit 1) but inadvertently failed to comply with the Court’s Local Rule No. 1 which states that all documents must be filed electronically. I apologize to the Court for this failure. Attached to this Application is a current Certificate of Good Standing in the State Bar of Texas for Craig Smyser. Because I sent the Certificate of Good Standing on January 13, 2017 and paid the required fee on January 19, 2017, I ask the Court order my admission *pro hac vice* effective January 19, 2017 or whatever date the Court deems appropriate.
4. I have not been convicted of a felony.
5. I have not been censured, suspended, disbarred or denied admission or

readmission by any court.

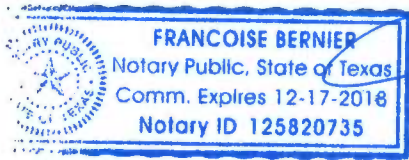
6. Another attorney at SKV, Tyler Doyle (TD3160), is a member in good standing of the Bar of the State of New York and of the United States District Court for the Eastern District of New York.


7. Wherefore your affiant respectfully submits that he be permitted to appear and advocate *pro hac vice* in this one case for Non-Party Richard Schmidt, Trustee of the Black Elk Litigation Trust.

Dated: March 7, 2017

  
\_\_\_\_\_  
Craig Smyser

\_SUBSCRIBED AND SWORN to me on this the 7 day of March, 2017, to certify which witness my hand and official seal.



  
\_\_\_\_\_  
Notary Public in and for  
The State of Texas

SMYSER KAPLAN & VESELKA, L.L.P.

BANK OF AMERICA CENTER  
700 LOUISIANA SUITE 2300 HOUSTON, TEXAS 77002  
TELEPHONE 713.221.2300 FACSIMILE 713.221.2320

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[csmyser@skv.com](mailto:csmyser@skv.com)

January 13, 2017

Clerk  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

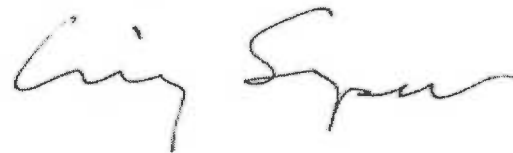
Re: SEC v. Platinum Management (NY) LLC et al; Civil Case No. 16-cv-6848  
(DLI)(VMS)

To the Honorable Court,

On January 10, 2017 by Order Dkt. 19, I was granted pro hac vice privileges and given an ECH logon and password for an emergency filing. That order indicated that I should ensure the \$150 admission fee and Letter of Good Standing be submitted to the Clerks Office. Pursuant to that order, I enclose my Letter of Good Standing and my firm's check in the amount of \$150. I also enclose courtesy copies of the Notice of Motion and Notice of Appearance that have been efiled in this matter.

Please let me know if you require anything further. I appreciate your assistance in this matter.

Respectfully,



Craig Smyser,  
Counsel for Richard Schmidt,  
Black Elk Litigation Trustee

Encl.



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**Craig Smyser**

is presently enrolled with the State Bar of Texas as an active member in good standing.

**IN TESTIMONY WHEREOF** witness my hand

and the seal of the Supreme Court of Texas at the City of Austin, this, the 12th day of January, 2017.

BLAKE HAWTHORNE, Clerk

by 

Blanca E. Valdez, Deputy Clerk

No. 011217GG



