

**LEVINE LEE LLP**

**NEW YORK**

650 Fifth Avenue  
New York, New York 10019  
212 223 4400 main  
212 223 4425 fax  
www.levinelee.com

**Seth L. Levine**  
212 257 4040 direct  
slevine@levinelee.com

May 2, 2017

**VIA ECF**

The Honorable Dora L. Irizarry  
Chief Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re:** *United States Securities and Exchange Commission v. Platinum Management (NY) LLC et al.*, No. 1:16-cv-06848-(DLI) (VMS)

Dear Chief Judge Irizarry:

We represent Defendant Daniel Small in the above-referenced matter.

On April 25, 2017, the Receiver, Bart Schwartz, requested that the Court approve a settlement agreement that the Receiver entered into following court-supervised mediation in Texas (the "Arabella Settlement Agreement") [ECF No. 128]. We write to inform the Court that Mr. Small takes no position on the Receiver's application for the Court's approval of the Arabella Settlement Agreement.

Respectfully submitted,

/s/ Seth L. Levine  
Seth L. Levine

cc: All Counsel of Record (via ECF)