

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-v- :

No. 16-cv-6848 (DLI)(VMS)

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. :
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~~PROPOSED~~ **ORDER APPROVING THE RECEIVER’S FEES
AND THE RETENTION OF CONWAY MACKENZIE CAPITAL ADVISORS, LLC
NUNC PRO TUNC TO OCTOBER 12, 2017**

Upon the motion (the “*Motion*”) of Melanie L. Cyganowski, Court-appointed receiver (the “*Receiver*”), for entry of an order, approving the retention of Conway MacKenzie Capital Advisors, LLC (“*CM*”), *nunc pro tunc* to October 12, 2017, to provide consulting and investment banking services as more fully described in the Engagement Letter between the Receiver and CM, dated October 12, 2017 (the “*Engagement Letter*”), and upon consideration of the Declaration of Kenneth T. Latz, filed on November 10, 2017 (the “*Declaration*”), the Engagement Letter attached to the Latz Declaration, and the accompanying Brief in Support of the Motion, filed on November 10, 2017 (the “*Brief*”), and it appearing that, based on the Declaration and the Brief, CM is qualified to provide services to the Receiver in this action in accordance with the terms of the Engagement Letter; and the relief requested in the Motion is warranted.

NOW, THEREFORE, after due deliberation and sufficient cause appearing therefor, and no objection to the Motion having been raised or having been overruled, it is hereby:

ORDERED that the Motion is granted and the Receiver is authorized to employ CM *nunc pro tunc* to October 12, 2017, the date in which she entered into the Engagement Letter, in accordance with the terms of the Engagement Letter and the Second Amended Receiver Order; and it is further

ORDERED that CM shall be compensated for such services in accordance with the terms set forth in the Engagement Letter; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: Brooklyn, New York
November 11, 2017

Judge Brian M. Cogan
United States District Court Judge