



Dated: January 23, 2017

Respectfully submitted,

By: /s/ Craig Smyser

SMYSER KAPLAN & VESELKA, L.L.P.

Craig Smyser

(pro hac vice)

Texas Bar No. 18777575

Attorney-in-Charge

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New York Bar No. 4372637

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713-221-2300

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**ATTORNEYS FOR NON-PARTY  
RICHARD SCHMIDT**

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

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

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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CIVIL ACTION NO. 16-cv-6848

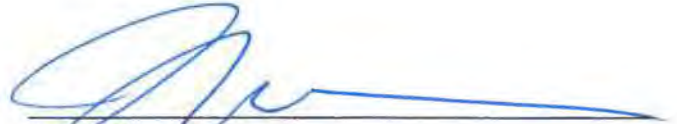
AFFIDAVIT OF JUSTIN WAGGONER  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE*

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STATE OF TEXAS           §  
                                  §  
COUNTY OF HARRIS       §

Justin Waggoner, being duly sworn, hereby deposes and says as follows:

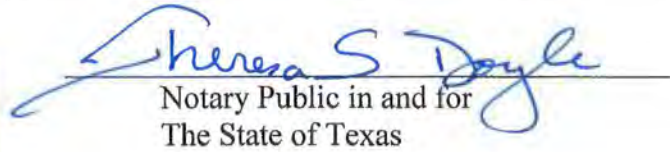
1. I am a partner with the law firm of Smyser Kaplan & Veselka, L.L.P. (“SKV”).
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Texas.
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. 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: January 23, 2017



Justin Waggoner  
SMYSER KAPLAN & VESELKA, L.L.P.  
700 Louisiana, Suite 2300  
Houston, Texas 77002  
jwaggoner@skv.com  
713-221-2343  
713-221-2320 (fax)

SUBSCRIBED AND SWORN to me on this the 23<sup>rd</sup> day of January, 2017, to certify which witness my hand and official seal.



Theresa S. Doyle  
Notary Public in and for  
The State of Texas

# 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

**Justin McKenzie Waggoner**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 7th day of November, 1997.

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

**Justin McKenzie Waggoner**

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

Blanca E. Valdez, Deputy Clerk

No. 011217LL

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

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

PLATINUM MANAGEMENT (NY) LLC;  
PLATINUM CREDIT MANAGEMENT,  
L.P.; MARK NORDLICHT; DAVID LEVY;  
DANIEL SMALL; URI LANDESMAN;  
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CIVIL ACTION NO. 16-cv-6848-DLI-VMS

ADMISSION TO PRACTICE  
*PRO HAC VICE*

The motion for admission to practice *pro hac vice* in the above-captioned matter is granted. The admitted attorney, Justin Waggoner, is permitted to argue or try this particular case in whole or in part as counsel or advocate for Non-Party Richard Schmidt (“Trustee”), in his capacity as Trustee of the Black Elk Litigation Trust, in the above-captioned matter.

This Order becomes effective upon the Court’s receipt of the required \$150.00 fee and confirms your appearance as counsel in this case. A notation of your admission *pro hac vice* in the above-captioned case will be made on the roll of attorneys.

Dated: January \_\_\_\_, 2017.

\_\_\_\_\_  
United States District Judge