

**LEVINE LEE LLP**

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**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

January 31, 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. Pursuant to the Court's January 20, 2017 Order, we write to inform the Court that Mr. Small takes no position on the Receiver's motion to lift the litigation stay in *Platinum Partners Value Arbitrage Fund, LP, and Platinum Partners Liquid Opportunities Master Fund LP v. Chicago Board Options Exchange and Options Clearing Corporation*, Ch. Div. Case No. 10CH54472 (Ill. Cir. Ct., Cook Cty.) [Dkt. 26].

Respectfully submitted,

s/ Seth L. Levine  
Seth L. Levine

cc: All Counsel of Record (via ECF)