



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

WMP:ALC/LHE  
F. #2016R00505

*271 Cadman Plaza East  
Brooklyn, New York 11201*

February 6, 2017

BY HAND DELIVERY AND ECF

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

Re: SEC v. Platinum Management (NY) LLC, et al.  
Civil Docket No. 16-6848 (DLI)

Dear Chief Judge Irizarry:

The government writes respectfully to inquire as to whether the Court would like the government to file a reply to certain defendants' responses to the government's motion to intervene in and stay the above-referenced matter, filed on January 23, 2017 (the "Stay Motion"). See ECF No. 42. On January 25, 2017, the Court entered an electronic order (the "Order") that required all defendants except defendant Uri Landesman to respond to and state their positions on the Stay Motion no later than February 3, 2017. The Order also directed the defendants opposing the Stay Motion to explain their position. The Order did not refer to a reply by the government.

As of this filing, defendants Landesman and Joseph Mann have advised that they do not oppose the Stay Motion. See ECF Nos. 42 & 78. Defendants David Levy, Daniel Small, Joseph SanFilippo and Jeffrey Shulse have indicated that they object in part to the Stay Motion, and have filed two submissions explaining their positions (collectively, the "defense briefs"). See ECF Nos. 79 & 80. Counsel for defendants Mark Nordlicht, Platinum Management (NY) LLC and Platinum Credit Management, L.P. have advised the government that their clients join in the position of defendants Levy, Small, SanFilippo and Shulse.

The government respectfully requests that, should the Court deem a reply to the defense briefs necessary, the government be permitted to file its reply on or before this Friday, February 10, 2017, in accordance with Local Civil Rule 6.1(b), or another date the Court selects. In the event that the Court deems a reply unnecessary, the government will file nothing further in support of its Stay Motion.

Respectfully submitted,

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cc: Clerk of the Court (DLI) (by ECF)  
All counsel (by ECF)