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February 10, 2017

**VIA ECF**

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

**RE:        *SEC v. Platinum Management (NY) LLP, et al., No. 16-6848 (DLI)/Letter on Consent to Adjourn Hearing on Motion for Preliminary Injunction and Deadlines for Responsive and Reply Papers***

Dear Chief Judge Irizarry:

We initially represented defendants Platinum Management (NY) LLP, Platinum Credit Management, L.P. and Mark Nordlicht (together, the “TRO Defendants”) in the above-captioned matter. The TRO Defendants are in the process of transitioning to new counsel. We write regarding Your Honor’s Order entered December 30, 2016 scheduling a preliminary injunction hearing for March 3, 2017 and setting a deadline of February 10, 2017 for the TRO Defendants’ papers. We have conferred with the SEC about the retention of new counsel and submit this letter on consent requesting a further two-week adjournment of the preliminary injunction hearing date and the deadlines for responsive and reply papers.

On December 19, 2016, before the transfer of this case to Your Honor, Judge Matsumoto—on consent of the SEC and TRO Defendants—entered a Temporary Restraining Order and appointed Bart Schwartz receiver for various Platinum entities. *See* Dkt. #5 and #6. To allow the parties to discuss and shape consensually the scope of the receivership, the SEC, on consent of the TRO Defendants, requested a sixty-day adjournment of the preliminary injunction hearing date and the deadlines for responsive and reply papers (Dkt. #8). On December 30, 2016, Your Honor granted that request and ordered that “the substantive relief in the TRO and the Order Appointing Receiver” would remain in effect during the adjourned period.

In light of the TRO Defendants’ transition to new counsel and continuing discussions between the TRO Defendants, the SEC, and Mr. Schwartz about the scope of the receivership, we respectfully



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request, on consent of the SEC, a further two-week adjournment of the preliminary injunction hearing date (to on or after March 17, 2017) and corresponding extensions of the deadlines for responsive and reply papers (to on or after February 24 and March 3, 2017, respectively). During the adjourned period, the parties continue to request that the substantive relief in the TRO and the Order Appointing Receiver (Dkt. #6) remain in effect. The expectation is that this further adjournment will allow the parties to resolve the SEC's motion consensually and accommodate the transition to new counsel.

Respectfully submitted,

/s/ Andrew J. Levander  
Andrew J. Levander