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April 12, 2024

VIA ECF

Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: SEC v. Platinum Mgmt. (NY) LLC, et al., No. 1:16-cv-06848-BMC

Dear Judge Cogan:

This firm is counsel to Melanie L. Cyganowski, the court-appointed Receiver of the Platinum Receivership Entities, as that term is defined in the motions referenced below.

We write to respectfully request that Your Honor enter a briefing schedule with respect to two now pending motions brought by the Receiver relating to matters that were heard by Your Honor on March 13, 2024 as follows:

1. Receiver's Motion for Entry of an Order Approving Settlement Agreement between the Receiver, Joseph M. SanFilippo, and Ford O'Brien Landy LLP, filed March 29, 2024, Dkt. No. 705, (the "SanFilippo Settlement Motion"); and
2. Receiver's Motion for Entry of an Order Approving Settlement Agreement Between the Receiver and the Trustee of the Black Elk Energy Offshore Operations, LLC Litigation Trust, filed April 12, 2024, Dkt. No. 709 (the "Black Elk Settlement Motion") and together with the SanFilippo Settlement Motion, the "Settlement Motions").

Currently, responses to the SanFilippo Settlement Motion are due on April 12, 2024. However, given the overlap of issues between the Settlement Motions, the Receiver believes it to be more efficient for any responses to the Settlement Motions to be filed concurrently and/or on a consolidated basis, and any replies in further support of the Settlement Motions to likewise be filed in a concurrent and/or consolidated manner. The Receiver therefore proposes that any responses to the Settlement Motions be filed on or before April 26, 2024 and any replies in further support of the Settlement Motions to be filed on or before May 10, 2024.



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The Receiver has conferred with counsel for the following parties and/or parties-in-interest, all of whom consent to the relief sought in this letter: (i) the U.S. Securities and Exchange Commission; (ii) Joseph M. SanFilippo/Ford O'Brien Landy LLP; (ii) David Levy/Wilson Sonsini; (iii) Daniel Small/Levine Lee LLP; and (iv) the Black Elk Trustee.

Thank you for your continued consideration of these matters.

Respectfully submitted,

/s/ Erik B. Weinick

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