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February 19, 2025

BY ECF

The Honorable Margo K. Brodie
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *SEC v. GPB Capital Holdings LLC, et al.*, No. 21-cv-00583-MKB-VMS (E.D.N.Y.)

Dear Chief Judge Brodie:

On behalf of Joseph T. Gardemal III, in his capacity as the Receiver appointed in this action (the “Receiver”), we write pursuant to Rule 7.1(e) of the Local Rules concerning the Receiver’s forthcoming reply in support of his Motion seeking the Court’s approval of the Receiver’s Plan of Distribution (the “Motion”). ECF. No. 228. The Receiver’s reply is due on Friday, February 21.

Four opposition briefs were filed in response to the Motion. ECF Nos. 243, 247, 248, & 249. Rather than submit four separate replies, the Receiver believes it would be most efficient for the Court and the parties for the Receiver to submit a streamlined omnibus reply brief of no more than thirty pages, which is ten pages fewer than Your Honor’s Individual Practices and Rules would permit if the Receiver were to file separate replies.

The Receiver has consulted with counsel for the parties and non-parties that submitted oppositions, which include the following: (i) Osaic Wealth, Inc.; (ii) Axiom Capital Management, Inc.; (iii) Jeffry Schneider, Ascendant Capital, LLC, and David Gentile; and (iv) Ascendant Alternative Strategies, LLC and DJ Partners, LLC. All of these parties and non-parties have confirmed that they do not object to the Receiver’s proposal. In addition, the Securities and Exchange Commission has consented to the proposal.

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The Receiver therefore respectfully requests that the Court grant the Receiver leave to file a single omnibus reply in support of the Motion of no more than thirty pages.

Respectfully submitted,

HOGAN LOVELLS US LLP

By: /s/ David M. Foster

David M. Foster

Cc: All counsel of record (via ECF)