



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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CV 14 - 4346

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Clerk of the Court
(For forwarding to randomly assigned U.S. District Judge)
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

KUNTZ, J.

The Honorable Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

LEVY, M.J.

Re: U.S. Securities and Exchange Commission v. Abraxas J. Discala et al.

Dear Clerk of the Court and Judge Vitaliano:

Pursuant to Local Rule 50.4, the U.S. Securities Exchange Commission ("Commission"), by and through its undersigned counsel, respectfully requests that the Chief Judge reassign the above-captioned case to the Honorable Eric N. Vitaliano, U.S. District Judge, because it is related to United States v. Abraxas J. Discala et al., (14-cr-399) ("Discala Criminal Case"), a criminal action before Judge Vitaliano involving the same transactions or events that are at issue in the Commission's action. In addition, the five defendants in the Commission's action are also among the seven defendants in the criminal matter.

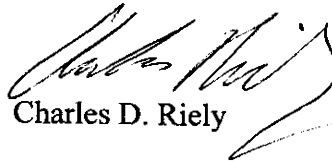
Local Rule 50.4 permits the reassignment of a case "in the interests of justice and the efficient disposition of the business of the court." Here, reassignment of the Commission's case to Judge Vitaliano, to whom the Discala Criminal Case is assigned, would best serve the interests of justice and lead to a significant savings of judicial resources. In the Commission's action, five defendants are charged with securities fraud related to a market manipulation scheme. In the Discala Criminal Case, the United States Attorney's Office for the Eastern District of New York has filed a criminal action against seven individuals involving the same market manipulation scheme.

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Because the subject matter of the civil and criminal cases are the same, and involves the same manipulation scheme, the Commission respectfully submits that reassignment would be appropriate, as it would likely serve the interests of justice and result in a significant savings of judicial resources.

Respectfully submitted,



Charles D. Riely