

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

BRENDA A. SMITH, *et al.*,

Defendants.

Case No. 19-cv-17213-MCA-ESK

ORDER

**THIS MATTER** having come before the Court for a telephone conference on August 20, 2021; and the Receiver Kevin D. Kent, Esq. (Receiver) having filed a letter on July 14, 2021 (Receiver Letter) (ECF No. 105); and the Receiver Letter having attached thereto, two letters from defendant Brenda A. Smith to Receiver's counsel (Smith Letters) (ECF Nos. 105-1, 105-2); and Smith, through the Smith Letters: (a) requesting the opportunity to participate in the deposition of Andrew Hurni, Esq.; (b) seeking advice concerning the appointment of *pro bono* counsel for this matter; and (c) seeking access to documents filed under seal at ECF Nos. 99-1, 99-2; and the Receiver having filed a motion for appointment of replacement real property appraiser (Receiver Motion) (ECF No. 106); and no objection having been filed as to the Receiver Motion; and for the reasons stated on the record,

**IT IS** on this **20th** day of **August 2021** **ORDERED** that:

1. The Receiver Motion is **GRANTED**. The Clerk of the Court is directed to terminate the Receiver Motion at **ECF No. 106**.
2. All relief requested in the Smith Letters is **DENIED**.
3. Smith may seek appointment of *pro bono* counsel by letter application mailed to counsel for the Receiver. Counsel for the Receiver is directed to file the letter application, once received.

/s/ Edward S. Kiel  
**EDWARD S. KIEL**  
UNITED STATES MAGISTRATE JUDGE