IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

U.S. COMMODITY FUTURES TRADING)
COMMISSION)
)
Plaintiff)
)
) No. 07 C 3598
v.)
) Hon. Blanche M. Manning
) U.S. District Judge
LAKE SHORE ASSET MANAGEMENT LIMITE	ED,)
et al.) Hon. Michael Mason
) U.S. Magistrate Judge
Defendants)

NOTIFICATION OF JAMES A. McGURK OF INTENTION TO REPRESENT DEFENDANT LAKE SHORE ASSET MANAGEMENT LIMITED

NOW COMES Movant James A. McGurk and files this Notification of Intention to Represent Defendant Lake Shore Asset Management Limited ("LSAML") and to represent LSAML. In support of this Notification, Movant states as follows:

- 1. On Tuesday, November 20, 2007, the Court issued a Memorandum Opinion and Order which addressed the motion of Movant James A. McGurk to file his appearance on behalf of LSAML.
 - 2. In the November 20, 2007 Memorandum Opinion and Order, the Court stated,

"If Lake Shore Limited wanted to be represented in this case, it [LSAML] carries the burden of providing Mr. McGurk with adequate assurances regarding the source of funds used to compensate him. In other words, Lake Shore cannot provide limited and unverifiable information about the source of funds and then expect the court to hold that

Mr. McGurk need not repay these funds later if they are found to belong to investors.

If Lake Shore Limited declines to provide Mr. McGurk with additional information about the 'loan from a lender close to Philip Baker' channeled through a German lawyer, Mr. McGurk will have to decide whether the present record provides adequate comfort that his fees are being paid from non-customer funds. If he declines to take that risk, Lake Shore Limited has no one to blame but itself."

November 20, 2007 Memorandum and Order, p. 7-8.

- 3. Subsequently, Movant James A. McGurk discussed the pending proceedings with Counsel for Defendant LSAML, Alexandre Schwab.
- 4. Movant James A. McGurk was then provided with additional assurances that the source of funds was not from customer funds and was not from receivership funds.
- 5. Therefore, Movant James A. McGurk is prepared to proceed to file his appearance as counsel of the Defendant LSAML and to represent LSAML in this proceeding.

WHEREFORE, Movant James A. McGurk seeks leave to enter his appearance as counsel for the Defendant Lake Shore Asset Management Limited.

Dated: November 28, 2007 Respectfully Submitted, James A. McGurk

> /s/James A. McGurk Movant

Of Counsel:

James A. McGurk, Esq. Law Offices of James A. McGurk, P.C. 140 South Dearborn Street Suite 404 Chicago, IL 60603 (312) 236-8900 Fax (312) 277-3497

CERTIFICATE OF SERVICE

I, James A. McGurk, an attorney, certify that on Wednesday, November 28, 2007, I caused a copy of the foregoing to be served upon the following individuals electronically and:

Via Fax (312) 853-7036 and First Class Mail

William Conlon, Esq. William Nissen, Esq. Steven E. Sexton, Esq. Sidley Austin, LLP One South Dearborn Street Chicago, IL 60603

Via Fax: (312) 275-0556 and First Class Mail Ira Bodenstein, Esq. Shaw Gussis Fishman Glantz Wolfson & Towbin LLC 321 North Clark Suite 800 Chicago, IL 60610

Via Fax: (312) 596-0714 and First Class Mail Rosemary C. Hollinger, Esq. Ava Michelle Gould, Esq. Diane Marie Romaniuk, Esq. Commodity Futures Trading Commission 525 West Monroe Street Suite 1100 Chicago, IL 60661

Via Fax (312) 269-1747 and First Class Mail

Samuel Seth Cohen, Esq. Terry David Weissman, Esq. Philip Leon Stern, Esq. Neal, Gerber & Eisenberg Two North LaSalle Street, Suite 2200 Chicago, IL 60602

Via Fax (312) 207-6400 and First Class Mail

Ann Elizabeth Pille Reed Smith Sacnoff & Weaver 10 South Wacker Drive 40th Floor Chicago, IL 60602

Via Fax (312) 827-8000 and First Class Mail

Desiree R. Furman, Esq. Stephen J. O'Neil, Esq. Bell Boyd & Lloyd, LLC 70 West Madison Street Suite 3100 Chicago, IL 60602

Via Fax (312) 609-5005 and First Class Mail Michael Marc Eidelman, Esq. Stephanie Khun Hor, Esq. Vedder Price Kaufman & Kammholz, P.C. 222 North LaSalle Street Chicago, IL 60601

/s/James A. McGurk