



*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  
40<sup>th</sup> 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