

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

Stanley C Rosenzweig
Betty J Rosenzweig
Hernando, FL

OCT 28 2010

October 20, 2010
AARON K. BAERMAN, CLERK
ALBANY

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DAVID R. HOMER
UNITED STATES MAGISTRATE JUDGE
ALBANY, NEW YORK

Honorable David R Homer
US District Court Northern NY
445 Broadway RM 441
Albany, NY 12207

10-CV-457
(GLS/DRH)

Dear Honorable David Homer,

Using twenty-five plus years of ultimate confidence and trust, starting in 2003 when I retired, our Financial Adviser, an agent for McGinnSmith, induced my wife to invest all our savings including retirement assets, totaling over \$1.1 million, in apparently highly speculative and unregulated McGinnSmith securities, all the while repeatedly reassuring her that the investments were completely safe, and pressuring her to roll over, rather than redeem them when some became due!

In retrospect, it seems that the company's founders have funneled 36-40% of 900 investor's money (about \$136 million) via origination fees, commissions, and loans, etc. into a lavish life style for the company's founders and their families, and additional money into their speculative failing businesses and political donations.

Apparently, the founders, Tim McGinn and David Smith, were using new investor's money to fund old investor's interest payments in a \$136 million Ponzi Scheme, while pressuring agents to find new investment money, until caught by a bad economy.

I am 80 years old and my wife is 64 years old.

Now, a party defendant, Lynn Smith, is trying to unfreeze and dissipate money from a \$4+million trust, claiming highly inflated expenses without proof, or substantiating documentation, while none of the defendants are willing to reveal or list their financial assets, and are, no doubt, hiding a great deal of money obtained via fraud!

These people are still living a lavish life style, while we have serious financial problems, with an imposed frugal life style and a 12 year old car that we cannot afford to replace.

My wife and I, therefore, join in imploring you **NOT** to grant this request in the name of justice, and we hope and pray that the hidden fraudulent assets can be found!

Sincerely,

Stanley C Rosenzweig
Stanley C Rosenzweig

Stanley C Rosenzweig
4319 N Longvalley Road
Hernando, FL 34442

GREENSBORO, NC 27405
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