

Robert L. Gilbert

1701 Huntsman Drive Aiken, South Carolina 29803-5239

Phone: (803) 649-4543 Facsimile: (404) 806-6239 gil@informationsecurity.org

October 26, 2010

Honorable David R. Homer
United States Magistrate Judge
U.S. District Court
Northern District of New York
445 Broadway, Room 441
Albany, New York 12207

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

OCT 29 2010

Dear Judge Homer:

**LAWRENCE K. BAERMAN, CLERK
ALBANY**


Re: McGinn Smith -- Case 1:10-cv-00457-GLS -DRH
Lynn Smith's request that the Court relax the asset freeze

I "invested" in one of McGinn Smith's audaciously fraudulent ventures and, by having done so, unwittingly contributed to the opulent style of living to which the McGinns and the Smiths have accustomed themselves. Accordingly, I urge that the Court deny Lynn Smith's petition for relaxation of the asset freeze which you wisely imposed.

The phrase "outrageously repugnant" does not adequately capture the mendacity, arrogance, hubris, and narcissism that accompanies her request. A statement attributed to the infamous Queen Marie Antoinette embodies Ms. Smith's attitude concerning the losses suffered by McGinn Smith investors due to its fraudulent activities, which losses have funded the largess that she has enjoyed, and is striving mightily to continue enjoying: "*Qu'ils mangent de la brioche.*" ("Let them eat cake.").

If there is justice to be found in your Court, you will sustain your previous ruling.

Sincerely,



Robert L. Gilbert
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Aiken, SC 29803-5239

REGISTERED MAIL

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