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78 Ridgeview Drive
Leola, PA 17540
November 17, 2010

The Honorable David R. Homer
United States District Court for the
Northern District of New York
445 Broadway, Room #441
Albany, NY 12207

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

Re: The United States v. McGinn-Smith

10 cv 457

Dear Judge Homer,

As an investor and victim of McGinn Smith I want to voice my protest in opposition to Lynn Smith's request for funds to pay legal expenses and living costs.


It is difficult for me to understand the greed and arrogance required to make such a request of the court. Upon the advice of my long-term financial advisor, I invested my entire retirement savings in Notes issued by McGinn Smith.

As a result, it appears that I have lost virtually all of my life's savings with little hope of recovering very much of my investment. I am left with only my income from Social Security and a small amount of interest from that original 401K investment which I entrusted to them.

In comparison to Lynn Smith, I am left with no funds with which to hire an attorney in an attempt to recover my losses. My annual income from Social Security is less than one half the amount that Lynn Smith claims to require to cover her monthly living expenses.

I implore you to deny her absurd request and prevent them any access to the funds that truly belong to the original investors who placed their trust in them

Very truly yours,



Mary Ann O'Brien