

James and Celine Prior
P. O. Box 105
Greenville, NY 12083

The Honorable David R. Homer
United States District Court
Northern District of New York
445 Broadway – room 441
Albany, NY 12207

RF

JD

DEC 07 2010

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

December 1, 2010

Re: Case # 1:10-cv-00457-GLS-DRH

Dear Honorable Judge Homer,

My wife and I, senior citizens in declining health, had invested our entire life's savings through McGinn Smith. We had worked diligently to build our savings to provide for ourselves and our family to ensure that we could provide for our future needs; at the encouragement of the McGinn Smith agent, had invested in what we were told was a portfolio of investments that would secure our comfort and independence in the future.

We have always lived within our means and find that now, when we have much higher living expenses due to our declining health, the financial base that we had built with our hard work and sacrifice and that was meant to sustain us, is not here when we need it.

I understand how discomfoting it may be for the defendants to have their assets frozen, because their actions have frozen my assets. Frankly, if Mrs. Smith would be so kind as to request that my assets be unfrozen, it would amount to about 11 months of her "basic" living expenses; of course it took us our entire lives to save that sum, and although I can't say I need my hard earned funds to pay for multiple mortgages, cars, and phones, it would help to pay for medical expenses, food, and heating.

Sincerely yours,

James Prior

James Prior

Schedule A
List of Known Entities Controlled By McGinn and/or Smith

107th Associates LLC Trust 07
107th Associates LLC
74 State Street Capital LP
Acquisition Trust 03
Capital Center Credit Corporation
✓ CMS Financial Services
Cruise Charter Ventures LLC dba YOLO Cruises
Cruise Charter Ventures Trust 08
First Advisory Income Notes LLC
First Commercial Capital Corp.
First Excelsior Income Notes LLC
First Independent Income Notes LLC
FirstLine Junior Trust 07
FirstLine Senior Trust 07
FirstLine Trust 07
Fortress Trust 08
Integrated Excellence Junior Trust
Integrated Excellence Junior Trust 08
Integrated Excellence Senior Trust
Integrated Excellence Senior Trust 08
IP Investors
James J. Carroll Charitable Fund
JGC Trust 00
KC Acquisition Corp.
KMB Cable Holdings LLC
Luxury Cruise Center, Inc.
Luxury Cruise Holdings, LLC
Luxury Cruise Receivables, LLC
M & S Partners
McGinn, Smith & Co.
McGinn, Smith Acceptance Corp.
McGinn, Smith Advisors
McGinn, Smith Alarm Trading
McGinn, Smith Asset Management Corp.
McGinn, Smith Capital Holdings
McGinn, Smith Capital Management LLC
McGinn, Smith Financial Services Corp.
McGinn, Smith FirstLine Funding LLC
McGinn, Smith Funding LLC
McGinn, Smith Group LLC
McGinn, Smith Holdings LLC
McGinn, Smith Independent Services Corp.
McGinn, Smith Licensing Co.

\$155,000.00 CTR # PB shares 1550 CLASS B
10/10/07 TRANSFERRED 5/06/08

\$100,000.00 NOTE #7 10/24/05 @ 7.75%
1058 TRUCK 10/22/08 EXTENDED MATURITY

Schedule A - continued
List of Known Entities Controlled By McGinn and/or Smith

McGinn, Smith Transaction Funding Corp.
Mr. Cranberry LLC
MS Partners
MSFC Security Holdings LLC
NEI Capital LLC
Pacific Trust 02
Point Capital LLC
Prime Vision Communications LLC
Prime Vision Communication Management Keys Cove LLC
Prime Vision Communications of Cutler Cay LLC
Prime Vision Funding of Cutler Cove LLC
Prime Vision Funding of Key Cove LLC
RTC Trust 02
SAI Trust 00 BALANCE \$17,415.66 CONTRACT C/F #72 FOR \$20,121.00
SAI Trust 03 2/16/01 @ 12.5%
Security Participation Trust I
Security Participation Trust II
Security Participation Trust III
Security Participation Trust IV
Seton Hall Associates
TDM Cable Funding LLC
TDM Cable Trust 06
TDM Luxury Cruise Trust 07
TDM Verifier Trust 07
TDM Verifier Trust 07R
TDM Verifier Trust 08
TDM Verifier Trust 08R
TDM Verifier Trust 09
TDM Verifier Trust 11
TDMM Benchmark Trust 09
TDMM Cable Funding LLC
TDMM Cable Jr Trust 09
TDMM Cable Sr Trust 09
✓ Third Albany Income Notes LLC \$50,000.00 NOTE #6 12/13/06 SENIOR SUBORDINATED
Travel Liquidators, LLC note @ 7.75%
White Glove Cruises LLC
White Glove LLC

*McGinnSmith
& Company, Inc.*

Investment Bankers • Investment Brokers

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Clifton Park, NY 12065
518-348-0060
Fax 518-348-0107
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August 28, 2008

JAMES & CELINE PRIOR
P O BOX 105
GREENVILLE, NY 12083

Dear James & Celine:

I am writing to inform you of a change in the status of my employment with McGinn Smith & Co. effective immediately. I have accepted a position as Research Coordinator for McGinn Smith.

My new duties will not allow me the time to provide you with the attention and level of service to which you have become accustomed. All my efforts will be focused on my new position. Therefore I will no longer be servicing your account.


As you know I have always put my client's best interest first. Therefore it is with confidence that I have arranged for your account to be serviced by a trusted colleague of mine, William Gamello.

William and I have worked closely together over the past few years. He has over 20 years experience in the securities industry and is very well versed in all facets of the market. I am confident that William will provide you with excellent service, whether it is for retirement planning, estate planning, insurance needs, growth and or income.

William will be calling you shortly to discuss your objectives and goals for both now and in the future. Please feel free to contact Bill at 518-348-0060 ext. 234 with any immediate questions or concerns you may have.

It has been a pleasure working with you. I wish you the best for the future both financially and personally.

Best Regards,



Pieter S. VanDerzee