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

August 12, 2012
Marcia Kenyon
34 Stony Brook Drive
Selkirk, NY 12158

Attention: Honorable David R. Homer
Reference: McGinn, Smith & Company Case # 1:10_cv_00457_GLS_DRH

Honorable David R. Homer
U.S. District Court of Northern
445 Broadway, Room 441
Albany, NY 12207

Your Honor:

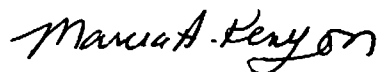
In reference to Vincent R. Gentile's letter dated July 19, 2012, I also feel that this fraud case at McGinn, Smith & Company has gone on long enough and calls for immediate action. I am among the many defrauded investors who feel that the time is NOW to write their Congressman and Senators urging them to contact Mary Schapiro, SEC Chairman to have the SEC initiate SIPC to apply for coverage in the McGinn, Smith Inc. fraud case and thereby receive protection through the SIPC.

As Mr. Gentile stated in his letter to you, the financial losses to constituents in New York alone are in the millions. As in other states, many people have lost their entire financial security with no meaningful expectations of recovery from the court-appointed Receiver. I strongly urge the SEC to refer this case to SIPC for coverage.

McGinn, Smith & Company investors were indeed "customers" of the broker-dealer, and as such received statements that listed and priced their investments. Those statements represented that McGinn, Smith & Company was in fact a member of SIPC.

I appreciate your time and attention in evaluating this request. I am aware that coverage through SIPC is offered in a limited number of cases; however, I feel that our case merits consideration as well.

Respectfully,



Marcia A. Kenyon

CC: Mary L. Schapiro, SEC Chairman,
George S. Canellos, SEC NY Regional Director