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

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LAWRENCE K. BAERMAN, CLERK
ALBANY

September 17, 2012

The Honorable Christian Hummel
United States Magistrate Judge
United States District Court
Northern District of New York
United States Courthouse
Room 411
445 Broadway
Albany, New York 12207

Your Honor:

I understand that even as I composed a letter to Judge Homer you have replaced Judge Homer as the Federal Magistrate Judge overseeing the case of McGinn-Smith and Company (Case #1:10_cv_00457_GLS_DRH). The following paragraphs had been addressed to your predecessor.

“I am compelled to add my voice to those that have previously written to you with regards to the case of McGinn and Smith. My wife and I have been severely harmed, defrauded of a major fraction of our retirement funds. By way of the Receiver’s website, by way of our financial advisor and through the lay press we have watched for almost two and a half years, but have seen no material progress in making ourselves or our many fellow investors whole. Meanwhile, it appears that the limited assets of McGinn-Smith are consumed by the legal process.

We followed with interest the Stanford case, but have been advised that the facts that disqualified those investors from coverage by SIPC do not apply in our case and that by all precedent our losses should be covered by SIPC.

We watched the unbelievable congressional testimony by Governor Corzine relating to the meltdown of MF Global Holdings and we were aghast to read that within a few short months SIPC made restitution to MF Global investors.

I have written to my US Senators and Congressman while at the same time wondering why they should need to get involved in such a case. They jointly wrote to the SEC urging that action in this case be expedited and that SIPC coverage be extended to us and to other customers of McGinn-Smith. That was many months ago and still no action has been taken.

I am not a lawyer or a sophisticated investor, just an honest citizen who expects that his legal rights would be protected by the courts and by the SEC. I certainly mean no disrespect to Your Honor by expressions of frustration, but there is far too much at stake for myself, my wife and for our fellow investors to sit idly by. I do not understand what action it would take or by whom such action would need to be taken, but if your office can have a significant impact on this decision I respectfully request that this be considered.”

Respectfully,

A handwritten signature in black ink, appearing to read "Peter L. Latt". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke extending to the left.