

Honorable Judge Hummel,

I just became aware of friends of Mr. McGinn and Mr. Smith writing in support to help convince you to give them a lighter sentence. My husband and I were also friends of Mr. McGinn and knew Mr. Smith socially . We were also investors in their company and lost \$100's of thousands of dollars to these two men. We trusted them with all of our savings (33 years of 14 to 16 hour days) from the sale of our Family owned restaurant. I am not asking for leniency. I am asking for the maximum! They ruined 900 lives! Lynn Smith had to write to people she knew to ask them to send letters of support to the courts, I don't think anyone did it on their own. That says something there. Did any of these people lose money to them, probably not. The McGinns and Smiths lied and stole millions from innocent people. When is the justice system going to help the victims? It seems that we will only get penny's on the dollar for what we lost investing in these notes with our so called friends. We are at the very least hoping for the harshest sentence for jail time especially since that may be all we get from this nightmare. From the newspaper reports they tried to pay back some wealthy investors, probably to keep them from causing trouble , but did nothing for Friends who invested everything they had because they trusted them. They knew they were doing something wrong when they tried to hide money in trusts in their children's names, these sly foxes. I am sure you will have some people saying what upstanding citizens they are but for every 1 in support you will have 2 or more that think they are greedy , arrogant, and narcissitic untrustworthy people. Mr McGinn , after he was indicted, wanted to meet with us. I thought he was going to say he was sorry but instead he wanted to sell us more bonds. Still scheming till the end! I am still not sure why they did not go directly to jail when found guilty. Most other people would have been advised to bring a toothbrush to court that day, or when the Smiths were in violation of the court decision to hand over the trust to the receiver that they were trying to hide in their children's names. Please do not prove to us that people with money get off easier. They deserve the maximum and should still have to repay all the money they took from innocent people. Maybe they have money overseas , they traveled there a lot. It has been a long time to see justice served (since 2009) My husband had to testify at the trial in Utica. Don't make us wait any longer to sentence these two men or give them a lighter sentence. We are both in our 60's and are working harder than ever to get back the losses incurred . My husband has back and feet problems and I am developing back and neck problems. We don't know how much longer we will be able to continue at this pace. We beg you to do the right and just thing and sentence these men to the max. Thank you

Kathryn De Leonardis

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Securities & Exchange Vs. McGinn Smith & Co. etc.

Case # 1:10-cv-00457-GLS-CFH