

**Question 49: On the FAQ page of your site you mention a \$66 million claim submitted on behalf of UBS in the Swiss bankruptcy of Crown Forex. How would the payment of this claim affect the victims of this case? Furthermore, when are these claims supposed to be paid or rejected?**

We have inquired, but have yet to receive information from the Swiss authorities about how or when they will process the claim.

**Question 50: You state that you are actually only going after \$5 to \$10 million more? How did we go from \$66 million to \$5mm?**

As explained in Question 49, the \$66 million figure relates to the claim that UBS submitted in the Swiss bankruptcy of Crown Forex. Because that claim is being handled in confidence by the Swiss government, we do not have any estimation of whether that claim will be recognized or if so, in what amount. We are not optimistic about the chances of any recovery on the \$66 million claim pending before the Swiss liquidators and therefore have not included it in any of our projections.

The \$5 to \$10 million referenced in response to Question 45 relates to actions where we have information or control. Specifically, the \$5 to \$10 million includes our estimated returns on the clawback actions in Chief Judge Davis's Court, as well as the litigation in Panama, sale of the Rainy Lake property in Canada, and expected return of approximately \$1 million the Receiver found at an account Cook held at UBS in Switzerland.

**Question 51: Why do you keep saying we have no jurisdiction outside of the US? Haven't you hired overseas lawyers to work on our behalf? Is there anybody (i.e. FBI) that WOULD have jurisdiction outside of the US?**

We cannot impose American laws on foreign countries. Each country is a sovereign nation and has its own laws and procedures. There is no court, governmental agency or law enforcement agency in the United States that has any jurisdiction in a foreign country. There are a number of mutual assistance treaties in which one government can ask another government for help. But these are merely requests and cannot be mandated. In addition, these requests take years and perseverance to yield results.

We have asked for the assistance of foreign authorities but are at their mercy as to if, when, and how they will help and the extent of any help that they might offer. Our overseas lawyers are assisting our efforts in Panama, Canada, and Switzerland, but they cannot compel anyone to comply with our requests unless we have a good faith factual and legal basis to (1) invoke the mutual assistance treaties in place in their respective countries or (2) file a lawsuit under the laws of their respective countries as was done in Panama and Canada.

If we were to hire overseas lawyers to follow-up on every possible lead, hunch, or speculative tip that we have received, we would very quickly deplete all the assets of the Receiver Estate. We have hired overseas lawyers only where we have identified specific and existing assets and where we believe we have a good chance of recovery, such as, in Panama, Canada and Switzerland.

**Question 52:** I am writing after reading Dan Browning's recent article in the Star Tribune October 18, 2010. I sent a completed form and documents to Justin Delfino in Chicago and also a completed separate claim to you via certified mail. The documents sent to you included copies of bank cashier checks, other checks and bank documents to substantiate the amount I actually deposited with Pat Kiley. I have not heard anything back from you indicating that my claim has been accepted/verified, is lacking documentation, is incomplete or is inaccurate in anyway with respect to the amount that I demonstrated that I deposited. In the article it is stated that out of 1,200 investors.... the Receiver has only verified claims so far for 668 victims, with losses totaling \$142 million.

**In light of the fact that it appears you will be asking Chief Judge Davis to set a deadline of Jan. 14 for investors to file a claim, and that many investors have filed incomplete claims and others failed to account for withdrawals, how do we know if our claim has been accepted/verified or if you need additional documentation to clarify any possible irregularities before the possible cut-off date?**

As soon as the Court approves the interim distribution and the procedures for claim processing and final accounting, which we expect to be in early November 2010, we will send out letters to all known investors. The letters will inform investors whether they will be receiving an interim distribution and, if so, the amount of their recognized claim and the amount of the pro-rata interim distribution that they will receive.

In the meantime, please feel free to contact us by telephone on the Receiver hotline (local: 612-436-9664, toll free: 877-316-6129) or email ([info@cookkileyreceiver.com](mailto:info@cookkileyreceiver.com)) to confirm that we have all the information from you that is necessary to process your claim.

**Question 53:** I am interested in entering into an agreement with you for a finder's fee for all bank accounts found in foreign countries held by any of the individuals involved in the Oxford Global Ponzi Scheme, including but not limited to: Cook, Kiley, Beckman, Durand, Saunders, etc. I am requesting 10% of all monies found by me and returned to the USA by you for disbursement to the victims. Are you willing to consider this offer?

Unless you actually find a foreign account that we are not aware of and you actually provide substantial assistance in successfully returning the funds in that account to us in the United States, then your offer has no value to us. If you are able to locate such an unknown account and you in fact substantially assist us in successfully repatriating the

money to the Receivership, then we would be willing to pay a finder's fee of no more than 3%.

**Question 54: If I am an investor who worked for Cook and received some form of compensation or other benefit from Cook, will I get an interim distribution?**

No. We are in the process of adjusting your claim to take into account the amount of cash or other benefits that you have already received from Cook. After your claim is adjusted, we will notify you of our determination and provide you with an opportunity to be paid out based on that amount or contest our determination.

In the final accounting, all investor claims will be adjusted to ensure that everyone, employee or not, receives an equal *pro rata* share in proportion to the amount that they have actually lost.

**Question 55: Henry Mahmoud, at the hearing, told an investor that it was still possible for Cook to communicate with one of his minions concerning transfer of funds to further hidden locations. Is this true? What steps have been taken to prevent such happening?**

We do not and cannot know the veracity of such statement. Cook is under Court Order to disclose and return all assets. It is our understanding that all telephone calls to and from the jail are monitored. However, there is no way to prevent Cook from communicating with the outside world. Not all of his constitutional rights are terminated by his imprisonment.

**Question 56: At the hearing Kiley compared our matter to the REFCO theft, where he alleges ultimately most of the money was found in an offshore bank in Pakistan. What credence do you place in this possibility?**

None.

**Question 57: Please confirm how my share of recovered assets will be determined.**

A: The final amount you will receive cannot be determined yet, but reasonable estimates of your percentage are possible. The general formula we will follow is:

$$\frac{\text{Total Invested} + \text{Total Received (if any)}}{\text{Total of All Recognized Claims}} \times \text{total Amount of Distribution} = \text{Payout}$$

Until the final accounting is completed, we cannot say exactly what the total amount of all recognized claims will be, but it will likely be somewhere between \$150 to \$160

million. With this estimate, investors should be able to get an estimate of their percentage of the total recovery.