



during those interviews, some of which information has been helpful and some of which may be helpful in the future. The SEC has been able to confirm some of the information Cook has provided. At the same time, based on current information, the SEC cannot demonstrate that Cook's remaining statements are untrue or misleading.

The SEC has concluded that Cook's incarceration under the contempt Order has led to as much effort to purge the contempt, and therefore as much benefit for the victims, as can reasonably be expected at this time. Therefore, the SEC is withdrawing its opposition to Cook's motion to purge his contempt, with one important caveat.

The SEC asks that any Order granting Cook's motion include provisions expressly retaining jurisdiction over the matter and requiring Cook to meet and cooperate with the Receiver, the SEC, and the CFTC at their request. That condition would help achieve the most important objective: obtaining the largest possible recovery for the many victims of Cook's fraud.

The SEC conferred with counsel for Cook about this condition. Cook agrees that any Order lifting the purge should contain a provision expressly requiring Cook to cooperate with the Receiver, the SEC, and the CFTC.

Respectfully submitted,

Dated: December 3, 2010

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