



# New York State Bar Association

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**TO:** County Coordinators, Coaches, Attorney Advisors and Judges

**DATE:** January 15, 2010

**RE:** Mock Trial Case 2010 Correction Memo #3

This is the final correction memo. The sub-committee appreciates the fact that this case is different and somewhat more difficult than in years past, and would like to extend sincere thanks to you and your teams for your input and continued work on the problem.

## **ADDITIONAL ITEMS/QUESTIONS**

**The stocks and funds listed on Exhibit 4 do not match up with those on Exhibit 5.**

A revamped Exhibit 4, Customer Account Journal, is attached. It now appropriately reflects the holdings in this portion of the Ashcotts' portfolio. This document is the internal record of account for S&S Derivatives.

**Where is the rest of the 2.5 million dollars the Ashcotts invested?**

Exhibit 5 is a snapshot of one piece of the Ashcotts' portfolio. It is not intended to reflect all of their investments with S&S, as they may have invested in other lines, such as annuities that would be reported on a different statement. The change in the investment value will not fully reflect the "double digit" returns because of this.

**The fund on Exhibit 6 isn't listed on the portfolio, Exhibit 5.**

Correct. The fund on the confirmation statement is not listed on Exhibit 5. It was bought and sold after July 31, 2008.

**S&S Derivatives, LLC**  
**Customer Account Journal**  
**July 31, 2008**

Client: Fran Ashcott  
 787 Stratton Road  
 Scarsdale, NY 10583

<b>Stocks</b>	Basis	Current Market Value
450 shares Ambuskate	45,604.00	48,600.00
700 shares BunnyShark	20,222.00	28,091.00
500 shares Connecticut Smart Phone	46,119.11	50,508.00
300 shares DogFood	7,583.25	10,578.44
175 shares Denial.com	24,370.00	31,500.00
150 shares Edgy Com	27,335.18	49,562.01
255 shares Entertots	3,504.00	6,075.00
900 shares Gerbil Exercise Systems	75,137.25	90,900.00
335 shares Football Stadia, Inc.	24,695.13	32,734.00
400 shares Idaho Asparagus	35,500.00	40,972.00
500 shares Joyous Pucks United	3,904.72	7,500.00
880 shares Lol Cola	85,542.33	90,582.00
500 shares Mal Props Inds	23,456.18	31,500.00
475 shares Sand Mining	37,096.00	38,500.00
350 shares MaxiHard	36,542.18	37,813.13
155 shares Southern Strategy Systems	10,000.00	12,803.41
225 shares Sphere, Inc	13,790.25	14,700.00
400 shares United Busware	35,000.00	39,400.00
425 shares Tenn Fish Farms	42,494.50	45,738.00
500 shares Walpert	30,000.00	32,482.76
468 shares West Eastern Co.	10,115.00	12,714.00
500 shares Western Pride Juices	18,375.25	21,150.00
350 shares Xert Prognosis	20,450.00	25,202.75
735 shares Yankee Popcorn	65,850.00	70,972.50
500 shares Youvgot	25,000.00	29,000.00

**Options**

108 Put GEBX Aug 08	350.50
92 Call MXHD Aug 08	376.50
56 Call UBWH Aug 08	110.00
40 Call WVFPZ Aug 08	1,172.00
45 Call WPJ Sep 08	58.00
65 Put MNBV Sep 08	135.00
13 Put JPUK Sep 08	132.00
90 Call ZXD Sep 08	1,332.00
210 Call KLP Oct 08	735.00
40 Call YVL Oct 08	480.00
65 Put XEPR Oct 08	87.75

**Funds**

1,508.3625 shares NOVER Fund	151,308.92	155,321.49
1,742.1956 shares Alias Mortgage Fund	175,633.68	179,456.00
1,245.3001 shares PurMo Fund	118,375.22	119,732.69
1,5498.3749 shares Big Dev Fd	158,945.32	159,102.35

Total Funds		613,612.53
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Ending value as of July 31, 2008		\$904,547.75
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