

January 6, 2006

New York State Office of the Attorney General
Eliot Spitzer
Bureau of Investor Protection and Securities
120 Broadway
New York, New York 10271
(212) 416-8200 (phone)
(212) 416-8816 (fax)

Re: Naked Shorting, "Failure to Deliver", Stock Fraud

Dear Mr. Spitzer,

You are a busy man I will try to stay brief. I had written previously about a fraudulent Wall Street practice known as "Naked Shorting." I had not received a reply.

A very nice and understandable primer on naked shorting was recently put together by Patrick Byrne, the CEO of Overstock.com (OSTK). It can be viewed at:

<http://www.businessjive.com/nss/darkside.html> and
<http://www.businessjive.com/nss2/darkside2.html>

You have received complaints from me (see attached letter of February 7, 2005), and many others on this matter. Br Byrne's presentation is clear, shocking in its detail and significance, and well backed up with data and sources from the SEC and academic economists.

This is one investor telling you that every day the biggest bank robbery ever is in progress, every trading day on our capital markets. Is there any reason the American retail investor needs to continue to lose their retirement assets to a few (very rich) crooks on Wall Street?

If this problem is allowed to fester any longer the patient (our equity markets) is at risk of dying.

I, and like-minded concerned investors are so worried, and cannot watch as regulators everywhere are ignoring this illegal activity in the hope it will not blow up on their watch.

Can we convince you to be part of the solution to this monumental problem?

Sincerely,

Andreas Kaubisch