



U.S. Department of Justice

*United States Attorney
Eastern District of Michigan*

211 W. Fort Street, Ste. 2001
Detroit, Michigan 48226

April 4, 2003

**Re: Petitions for Remission or Mitigation of Non-Owner Victims
28 C.F.R. §§ 9.1 et seq.**

Dear Sir or Madam:

As you are aware, the Commodity Futures Trading Commission ("CFTC") recently prevailed in the case of: *Commodity Futures Trading Commission v. Todd James Snively, Commodity Consultants International, Inc., and Futurewise Trading Group, Inc.* (collectively the "defendants").

Likewise, the United States Attorney's Office for the Eastern District of Michigan ("USAO") filed a parallel civil action seeking forfeiture of funds seized from the defendants as proceeds of wire fraud. *United States v. Approximately \$4.2 Million Held in Comerica Bank Holding Account*, Case No. 02-70902 (E.D. Mi. 2002) (the "forfeiture case"). The forfeiture case encompasses the defendants' conduct from June 2001 to February 8, 2002, the date of seizure.

The USAO seeks forfeiture of the seized funds for the purpose of returning those funds to defrauded investors. This requires a favorable ruling by the Court regarding the forfeiture case; a resolution is anticipated in the near future.

Assuming a favorable decision by the Court, return of the seized funds requires completion and review of the enclosed *Petition for Remission* (the "*Petition*"). The *Petition* is the vehicle by which the USAO returns forfeited funds to defrauded investors. Moreover, remission will be limited to those investors who have been defrauded by the defendants during the period of June 2001 to February 2002. Finally, the amount remitted will be based on each investor's net investment, as determined by the CFTC, and the total funds forfeited. Based on present calculations, each investor may receive approximately sixty-five (65) percent of his or her net investment.

It is only after all of the *Petitions* have been returned that the Department of Justice will be able to calculate what amount each investor should receive based on the number of *Petitions* returned. Thus, timely completion of the *Petition* is essential to a resolution of the remission process. Accordingly, please return, no later than May 30, 2003, the completed original *Petition* to the United States Attorney's Office, and a copy to the Federal Bureau of Investigation. For your convenience, envelopes have been enclosed.

Updates regarding the forfeiture case and remission process will be posted to the CFTC's website: <http://www.cftc.gov/enf/futurewise/enfdefault.htm>. Additionally, if you have any questions, please contact us at 313-226-9111.

Thank you in advance for your cooperation.

Very truly yours,

JEFFREY G. COLLINS
United States Attorney

THOMAS A. CAPEZZA
Assistant United States Attorney

Enclosures: Petition for Remission
28 C.F.R. §§ 9.1 to 9.9