

email: billmccarter@earthlink.net

June 14, 2006

Re: Merrill Lynch Bank v. Conte et al.  
Docket No. L-2530-03

Anthony J. Pasquariello, Esq.  
271 Route 46 West – Suite F205  
Fairfield, NJ 07004

Dear Mr. Pasquariello:

I enclose an Offer of Judgment from my clients addressing all outstanding claims.

Please note that the offer includes both Merrill Lynch entities as parties to Patricia Conte's offer. That is because I believe the caption misstates the proper parties to that claim. It was the brokerage firm (Merrill Lynch Pierce Fenner & Smith, Inc.), not the Bank, that withheld the \$75,000 from the account proceeds returned to Ms. Conte.

Very truly yours,

George W. C. McCarter

UPS SECOND DAY AIR  
cc: Mr. and Mrs. Joseph Conte