

Alison E. Shimer  
1225 W. Leesport Rd.  
Leesport, PA 19533  
2005 AUG 18 P 12:17  
August 17, 2005

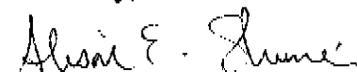
Clerk of Court  
United States District Court  
Mitchell H. Cohen Federal Building & US Courthouse  
1 John F. Gerry Plaza  
Camden, New Jersey 08101

Dear Sir: RE: Civil Case No. 04CV 1512, Claim No. 67

Enclosed please find two copies of my challenge to Plaintiff CFTC's Objections dated May 20, 2005 To Certain Investor Claims. I had previously filed a timely similar challenge with the Court via cover letter dated May 5, 2005 with respect to objections to my claim filed with the Court by the Equity Receiver.

I did not file a challenge to the previous objections of the Plaintiff CFTC because I considered my previous timely challenge to the Equity Receiver to be sufficient to answer any relevant objection of the CFTC to my claim No. 67. I have been recently advised that the Court would prefer that I file a separate challenge to the CFTC's stated objections as well. Enclosed is that challenge on my part. Also find my certificate of Service upon the CFTC.

Sincerely,



Alison E. Shimer  
cc: Hon Robert B. Kugler  
Hon Ann Marie Donio  
Elizabeth Streit, Esq.  
Via Priority Mail  
Delivery Confirmation #0305 0830 0001 7068 4579

Alison E. Shimer  
1225 W. Leesport Rd.  
Leesport, PA 19533

RECEIVED-CLERK  
U.S. DISTRICT COURT

August 17, 2005

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Clerk of Court  
United States District Court  
Mitchell H. Cohen Federal Building & US Courthouse  
1 John F. Gerry Plaza  
Camden, New Jersey 08101

Dear Sir: RE: Civil Case No. 04CV 1512

Per the telephone conference call of yesterday, August 16, 2005 by and between Magistrate Ann Marie Donio, Plaintiff CFTC, the Equity Receiver and his legal counsel, my husband Robert W. Shimer representing himself *pro se* and legal counsel for the Sterling entities, please be advised that I consent to defer any further consideration by the Court of my claim (Claim No 67) previously submitted to the Equity Receiver until such time as the Court rules on the two motions to dismiss previously filed by my husband in this matter currently pending before the Court and until such time as the Court also rules with respect to my husband's current motion for summary judgment also pending before the Court.

For purposes of economy I have included this letter with my separate cover letter to the Court and Challenge to Plaintiff CFTC's previous objection to my claim.

Sincerely,



Alison E.. Shimer

cc: Judge Robert B. Kugler  
Magistrate Ann Marie Donio  
Elizabeth Streit

Via Priority Mail

Delivery Confirmation #0305 0830 0001 7068 4579

**CERTIFICATE OF SERVICE**

I have forwarded by regular mail, a copy of this Challenge To Plaintiff's CFTC's Objection to My Claim to Elizabeth Streit, Esq., Commodity Futures Trading Commission 525 West Monroe Street, Suite 1100, Chicago, Illinois 60661 on August 17, 2005.

  
\_\_\_\_\_  
Alison E. Shimer

In The United States District Court  
For the District of New Jersey

RECEIVED: CLERK  
U.S. DISTRICT COURT

2005 AUG 18 P 12:17

**COMMODITY FUTURES TRADING COMMISSION,**

**Plaintiff**

**vs.**

**EQUITY FINANCIAL GROUP, LLC, TECH TRADERS,  
INC., TECH TRADERS, LTD., MAGNUM INVEST-  
MENTS, LTD., MAGNUM CAPITAL INVESTMENTS  
LTD., VINCENT J. FIRTH, ROBERT W. SHIMER,  
COYT E. MURRAY, and J. VERNON ABERNETHY  
Defendants**

**Civil Action No. 04CV 1512**

Hon. Robert B. Kugler  
District Court Judge

Hon. Ann Marie Donio  
Magistrate

**CHALLENGE WITH RESPECT TO CFTC'S OBJECTION  
TO CLAIM OF ALISON E. SHIMER**

Alison E. Shimer hereby challenges the CFTC's objection to her rightful claim to participate as an investor in Shasta Capital Associates, LLC in the Equity Receiver's proposed distribution to claimants. The CFTC's decision to join the Equity Receiver in his objections to her participation in the proposed distribution is arbitrary and unreasonable for the same reasons previously stated in Alison Shimer's challenge to the objections of the Equity Receiver forwarded to the Court with her accompanying cover letter dated May 5, 2005 via Federal Express Air bill #851851448413. All points and arguments offered by Alison E. Shimer in reply to the Equity Receiver's objections are hereby incorporated by this reference with respect to the CFTC's objections to the extent that the CFTC joins in the objections of the Equity Receiver.

In addition Alison E. Shimer further states that the CFTC's comment in its objection date May 20, 2005 that "Alison Shimer does not appear to be an innocent bystander to her husband's dealings with Tech Traders and Coyt Murray" is an offensive gratuitous comment that has absolutely no basis in fact but is apparently a typical "tactic" of this particular Plaintiff. The fact that I may have accompanied my husband on several of his business trips to North Carolina is not at all unusual since I own a condominium in that State and had many other matters to attend to whenever my husband had occasion to meet with Mr. Murray.

Furthermore the fact that I regularly assist my husband with routine office work in support of his legal practice generally and that he asked Mr. Firth to allocate a part of his legal fees due from Defendant Equity to me and to issue to me a Form 1099 for tax year 2003 is hardly a reason to impute any wrong doing to me nor does such a fact offer any basis at all to deny my

legitimate claim as a good faith investor in Shasta with absolutely no knowledge of Mr. Murray's apparent fraudulent conduct.

Furthermore, it is worth noting that my husband Robert W. Shimer currently has filed with the Court several potentially dispositive motions to dismiss this matter under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure with respect to himself. It is also my understanding that he has also recently filed a separate motion for summary judgment in this matter with respect to himself. If any of these motions are granted by the Court, Robert W. Shimer's status in this matter will change dramatically from one of defendant to non defendant. At the very least it seems appropriate for the Court to defer a final decision with respect to my claim for participation in the proposed distribution due all proper claimants until the Court has had an opportunity to rule on my husband's dispositive motions currently before the Court.

Date: August 17, 2005

Respectfully submitted,



Alison E. Shimer  
1225 W. Leesport Rd.  
Leesport, PA 19533  
(610) 926-4278