

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

vs. :

Case No. 1:10-CV-457
(GLS/CFH)

McGINN, SMITH & CO., INC., :
McGINN, SMITH ADVISORS, LLC :
McGINN, SMITH CAPITAL HOLDINGS CORP., :
FIRST ADVISORY INCOME NOTES, LLC, :
FIRST EXCELSIOR INCOME NOTES, LLC, :
FIRST INDEPENDENT INCOME NOTES, LLC, :
THIRD ALBANY INCOME NOTES, LLC, :
TIMOTHY M. McGINN, AND :
DAVID L. SMITH, GEOFFREY R. SMITH, :
Individually and as Trustee of the David L. and :
Lynn A. Smith Irrevocable Trust U/A 8/04/04, :
LAUREN T. SMITH, and NANCY McGINN, :

Defendants, :

LYNN A. SMITH and :
NANCY McGINN, :

Relief Defendants. and :

GEOFFREY R. SMITH, Trustee of the :
David L. and Lynn A. Smith Irrevocable :
Trust U/A 8/04/04, :

Intervenor. :

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**NOTICE OF FILING OF FIRST PAYMENT SCHEDULE
OF INVESTOR DISTRIBUTIONS**

PLEASE TAKE NOTICE that on May 2, 2017, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - First Payment Schedule of Investor Distributions, pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Investor Distributions will continue to be filed on a rolling basis with increasing frequency. The attached Payment Schedule reports the amount of the first distribution to be made to the holders of the listed claim numbers, which amount has been rounded to the nearest whole dollar in accordance with Section 12 of the Plan.

Dated: May 2, 2017

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
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Doc #01-3037018.1

McGinn Smith & Co. Inc. - First Payment Schedule of Investor Distributions

May 2, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4113A	TDM Verifier Trust 11Contract Certificates 9%	\$14,309.77	\$1,431
4114A	FAIN Secured Senior Notes	\$45,997.68	\$4,600
4127A	Seton Hall Mortgage Note Holders	\$ 4,235.69	\$ 424
4129A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$13,000.00	\$1,300
4130A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$18,500.00	\$1,850
4131A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$25,000.00	\$2,500
4132A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 8,276.78	\$ 828
4133A	TAIN Secured Senior Subordinated Notes 7.75 % Due 12/15/2009	\$25,000.00	\$2,500
4134A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 9,250.00	\$ 925
4135A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$15,871.38	\$1,587
4136A	Fortress Trust 08	\$ 7,964.44	\$ 796
4137A	McGinn, Smith Transaction Funding Corp.	\$25,000.00	\$2,500
4138A	Fortress Trust 08	\$19,911.10	\$1,911
4141A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$30,000.00	\$3,000
4142A	TAIN Secured Senior Notes	\$45,466.43	\$4,547
4143A	TDM Verifier Trust 11Contract Certificates 9%	\$14,309.77	\$1,431
4144A	Fortress Trust 08	\$19,911.10	\$1,991
4145A	TAIN Secured Junior Notes Due 12/15/2009	\$82,000.00	\$8,200
4158A	Fortress Trust 08	\$39,822.21	\$3,982

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4159A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$50,000.00	\$5,000
4160A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$46,250.00	\$4,625
4161A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$50,000.00	\$5,000
4188A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$25,000.00	\$2,500
4189A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$15,000.00	\$1,500
4190A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$25,000.00	\$2,500
4191A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$23,125.00	\$2,313
4198A	TDM Verifier Trust 07Contract Certificates	\$35,000.00	\$3,500
4201A	Fortress Trust 08	\$19,911.10	\$1,991
4202A	TDM Verifier Trust 07RContract Certificates	\$25,000.00	\$2,500
4203A	TDMM Benchmark Trust 09 12%	\$15,000.00	\$1,500
4204A	TDMM Benchmark Trust 09 9%	\$10,000.00	\$1,000
4210A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$10,000.00	\$1,000
4211A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$40,000.00	\$4,000
4212A	FEIN Secured Senior Notes	\$ 9,199.54	\$ 920
4213A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$10,000.00	\$1,000
4214A	TDM Verifier Trust 07 9% 24 Month Contract Certificates	\$10,000.00	\$1,000
4215A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$25,000.00	\$2,500
4220A	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$26,931.30	\$2,693
4221A	McGinn, Smith Firstline Funding, LLC	\$13,000.00	\$1,300
4222A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$43,646.29	\$4,365
4223A	Fortress Trust 08	\$39,822.21	\$3,982
4224A	TDM Verifier Trust 08RContract Certificate 9%	\$50,000.00	\$5,000
4225A	TDM Verifier Trust 0910% Contract Certificates Due 12/31/11	\$45,118.75	\$4,512

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4226A	TDM Verifier Trust 11 Contract Certificates 9%	\$47,699.25	\$4,770
4229A	McGinn, Smith Transaction Funding Corp.	\$35,000.00	\$3,500
4230A	TDM Verifier Trust 08 Contract Certificate 36	\$60,000.00	\$6,000
4231A	TDM Verifier Trust 08R Contract Certificate 9%	\$40,000.00	\$4,000
4232A	TDMM Cable Jr. Trust 09 11%	\$ 5,000.00	\$ 500
4241A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$30,000.00	\$3,000
4242A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$25,000.00	\$2,500
4243A	Firstline Trust 07 B Senior Contract Certificates 9.50% Due 10/01/11	\$20,691.95	\$2,069
4244A	TAIN Secured Junior Notes Due 12/15/2009	\$25,000.00	\$2,500