

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 NINTH PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on August 18, 2017, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Ninth 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 claim numbers and amount to be paid as a first distribution 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: August 18, 2017

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
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Doc #01-3037018.9

August 18, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
5115A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
5303A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
5152A	Seton Hall Mortgage Note Holders	\$ 11,220.50	\$ 1,122.00
5214A	TDM Verifier Trust 0910% Contract Certificates Due 12/31/2011	\$ 18,047.50	\$ 1,805.00
5215A	TDMM Cable Jr Trust 09 11%	\$ 30,000.00	\$ 3,000.00
5431A	FIIN Secured Senior Notes	\$ 4,546.64	\$ 455.00
6013A	TDM Verifier Trust 07R Contract Certificates	\$ 10,000.00	\$ 1,000.00
6014A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 25,000.00	\$ 2,500.00
6015A	TDMM Benchmark Trust 09 8%	\$ 10,000.00	\$ 1,000.00
6871A	Seton Hall Mortgage Note Holders	\$ 21,576.97	\$ 2,158.00
6240A	Seton Hall Mortgage Note Holders	\$ 8,630.83	\$ 863.00
6396A	Fortress Trust 08	\$ 79,644.41	\$ 7,964.00
6397A	TDMM Benchmark Trust 09 10%	\$ 50,000.00	\$ 5,000.00
6435A	FAIN Secured Senior Notes	\$ 45,997.68	\$ 4,600.00
6436A	FAIN Secured Senior Subordinated Notes	\$ 25,000.00	\$ 2,500.00
6437A	FAIN Secured Senior Subordinated Notes	\$ 35,000.00	\$ 3,500.00
6438A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
6439A	Fortress Trust 08	\$ 11,946.66	\$ 1,195.00
6440A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 20,000.00	\$ 2,000.00
6441A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 20,000.00	\$ 2,000.00
6442A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 23,849.63	\$ 2,385.00
6443A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 47,699.25	\$ 4,770.00
6505A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 2,000.00	\$ 200.00
6506A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 3,000.00	\$ 300.00
6507A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
6511A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
6519A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 13,535.63	\$ 1,354.00
6620A	Seton Hall Mortgage Note Holders	\$ 12,946.18	\$ 1,295.00
6649A	TAIN Secured Junior Notes Due 12/15/2009	\$ 16,000.00	\$ 1,600.00
6678A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
6679A	TDM Calbe Trust 06 10% Contract Certificates Due 11/15/10	\$ 15,000.00	\$ 1,500.00
6680A	TDM Verifier Trust 08 Contract Certificate	\$ 20,000.00	\$ 2,000.00
6681A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 9,023.75	\$ 902.00
6686A	Seton Hall Mortgage Note Holders	\$ 4,315.39	\$ 432.00
6685A	Seton Hall Mortgage Note Holders	\$ 4,315.39	\$ 432.00

Claim #	Description of Investment	Amount of Investment (100%)	Amount of First Distribution
6684A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 50,000.00	\$ 5,000.00
6683A	Seton Hall Mortgage Note Holders	\$ 25,892.44	\$ 2,589.00
6782A	TDMM Benchmark Trust 09 9%	\$ 116,898.90	\$ 11,690.00
6860A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 40,000.00	\$ 4,000.00
6861A	TAIN Secured Junior Notes Due 12/15/2009	\$ 35,000.00	\$ 3,500.00
6887A	Integrated Excellence Jr Trust 08	\$ 9,658.96	\$ 966.00
6876A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 40,000.00	\$ 4,000.00
6877A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 70,000.00	\$ 7,000.00
6878A	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/2012	\$ 31,419.85	\$ 3,142.00
6879A	Pacific Trust	\$ 23,739.93	\$ 2,374.00
6880A	TDM Cable Trust 06 10% Contract Certificates Due 11/15/2010	\$ 10,000.00	\$ 1,000.00
6881A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/2010	\$ 15,000.00	\$ 1,500.00
6882A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/2010	\$ 15,000.00	\$ 1,500.00
6883A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 09/01/2011	\$ 23,125.00	\$ 2,313.00
6884A	TDMM Benchmark Trust 09 10%	\$ 20,000.00	\$ 2,000.00
6885A	TDMM Benchmark Trust 09 11%	\$ 10,000.00	\$ 1,000.00
6886A	TDMM Benchmark Trust 09 11%	\$ 30,000.00	\$ 3,000.00
6902A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 13,535.63	\$ 1,354.00
6903A	FAIN Secured Senior Subordinated Notes	\$ 20,000.00	\$ 2,000.00
6904A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
6905A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 15,871.38	\$ 1,587.00
6906A	Fortress Trust 08	\$ 7,964.44	\$ 796.00
6907A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	\$ 3,000.00
6908A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 40,000.00	\$ 4,000.00
6909A	FAIN Secured Senior Notes	\$ 22,998.83	\$ 2,300.00
6910A	TAIN Secured Senior Notes	\$ 27,279.86	\$ 2,728.00
6911A	McGinn Smith Firstline Funding LLC	\$ 6,000.00	\$ 600.00
6912A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 25,000.00	\$ 2,500.00