

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 SIXTEENTH PAYMENT SCHEDULE  
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on November 3, 2017, William J. Brown, as Receiver,  
filed the attached McGinn, Smith & Co. Inc. - Sixteenth 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: November 3, 2017

PHILLIPS LYTTLE LLP

By /s/ William J. Brown  
William J. Brown (Bar Roll #601330)  
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and

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Doc #01-3037018.16

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

**November 3, 2017**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4591A	FAIN Secured Senior Subordinated Notes	\$ 25,000.00	\$ 2,500.00
4592A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	\$ 3,000.00
4593A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 9,250.00	\$ 925.00
4999A	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$ 44,885.50	\$ 4,489.00
5000A	Fortress Trust 08	\$ 19,911.10	\$ 1,991.00
5001A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
5080A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 60,000.00	\$ 6,000.00
5081	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
5082A	TAIN.Secured Junior Notes Due 12/15/2009	\$ 15,000.00	\$ 1,500.00
5083A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
5084A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
5085A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	\$ 3,000.00
5086A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 25,000.00	\$ 2,500.00
5087A	TDM Cerifier Trust 07 9% 24 Month Contract Certificates	\$ 35,000.00	\$ 3,500.00
5775A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 21,000.00	\$ 2,100.00
6944A	TDM Verifier Trust 07 Contract Certificates	\$ 30,000.00	\$ 3,000.00

Doc #01-3078017.1A