

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 SEVENTEENTH PAYMENT SCHEDULE  
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on November 8, 2017, William J. Brown, as Receiver,  
filed the attached McGinn, Smith & Co. Inc. - Seventeenth 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 8, 2017

PHILLIPS LYTTLE LLP

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

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Doc #01-3037018.17

November 8, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4912A	Seton Hall Mortgage Note Holders	\$ 8,630.83	\$ 863.00
5020A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 15,000.00	\$ 1,500.00
5021A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
5022A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
5023A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 155,000.00	\$ 15,500.00
5024A	TAIN Secured Junior Notes Due 12/15/2009	\$ 100,000.00	\$ 10,000.00
5025A	TAIN Secured Junior Notes Due 12/15/2009	\$ 180,000.00	\$ 18,000.00
5026A	FAIN Secured Senior Notes	\$ 36,798.14	\$ 3,680.00
5027A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 12,000.00	\$ 1,200.00
5051A	FAIN Secured Senior Subordinated Notes	\$ 25,000.00	\$ 2,500.00
5052A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 30,000.00	\$ 3,000.00
5053A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 30,000.00	\$ 3,000.00
5054A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 15,000.00	\$ 1,500.00
5055A	TDM Verifier Trust 07 9% 24 Month Contract Certificates	\$ 10,000.00	\$ 1,000.00
5056A	FAIN Secured Senior Notes	\$ 13,799.30	\$ 1,380.00
5057A	FEIN Secured Senior Notes	\$ 55,197.22	\$ 5,520.00
5058A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 15,000.00	\$ 1,500.00
5059A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 35,000.00	\$ 3,500.00
5204A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 0.00	\$ 0.00
5205A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 0.00	\$ 0.00
5206A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 0.00	\$ 0.00
5207A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 5,000.00	\$ 500.00
5208A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 5,000.00	\$ 500.00
5209A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 6,000.00	\$ 600.00
5210A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 6,000.00	\$ 600.00
5211A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 6,000.00	\$ 600.00
5212A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 42,000.00	\$ 4,200.00
5479A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
5480A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 20,000.00	\$ 2,000.00

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

November 8, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
5481A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 20,000.00	\$ 2,000.00
5482A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
5483A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
5484A	TAIN Secured Junior Notes Due 12/15/2009	\$ 40,000.00	\$ 4,000.00
6112A	TDMM Cable Jr Trust 09 11%	\$ 20,000.00	\$ 2,000.00
6113A	TDM Verifier Trust 08R Contract Certificates 9%	\$ 50,000.00	\$ 5,000.00
6619A	TAIN Secured Junior Notes Due 12/15/2009	\$ 0.00	\$ 0.00

Doc #01-3079621.1A