

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----X  
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.*

-----X

**SUPPLEMENTAL CERTIFICATE OF SERVICE**

I, Karen M. Ludlow, being at all times over 18 years of age, hereby certify that on February 15, 2018, a true and correct copy of the Notice of Motion and Second Motion of William J. Brown, as Receiver, for an Order Disallowing Paper Claims and a copy of the Receiver's explanatory letter ("Motion and Letter") was mailed, via first class mail using the United States Postal Service, to the investors with the claim numbers listed on the attached Exhibits A, B and C, which were filed with the Motion on February 15, 2018 (Docket No. 974).

Dated: February 15, 2018

/s/ Karen M. Ludlow  
Karen M. Ludlow

**EXHIBIT A****Discrepant Claims**

<b>Claim Number</b>	<b>Description of Investment</b>	<b>Amount of Allowed Claim</b>	<b>Amount of Paper Claim</b>
4707A	TAIN Secured Junior Notes Due 12/15/2009	\$148,000.00	\$173,000.00
4776A	Seton Hall Mortgage Note Holders	\$ 8,630.83	\$ 8,603.83
5363P	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 10,000.00
5494P	FAIN Secured Senior Notes	\$ 22,998.83	\$ 25,000.00

Doc #01-3099790.1A

**EXHIBIT B****Paper Claims**

<b>Claim Numbers</b>	<b>Description of Investment</b>	<b>Amount of Paper Claim</b>	<b>Reason for Disallowance</b>
4258A	TDM Verifier Trust 07R Contract Certificates	\$ 10,000.00	Exact duplicate of Receiver-granted claim in the amount of \$10,000
4259A	TDMM Benchmark Trust 09 8%	\$ 10,000.00	Exact duplicate of Receiver-granted claim in the amount of \$10,000
4776A	SAI Trust 00	\$ 10,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
5535A	Coventry CMS	\$ 8,000.00	Claim for investment in non-Receivership entity
5535A	Series One Bond #245	\$ 8,000.00	Claim for investment in non-Receivership entity
5738A	SAI Trust 03	\$ 38,610.75	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
5753P (no allowed claims)	Unknown	Unknown	No liability claim
6566P (no allowed claims)	Unknown	\$ 25,000.00	No liability claim
6710A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	Exact duplicate of Receiver-granted claim in the amount of \$30,000
6760P (no allowed claims)	One Liberty Ppty	Unknown	Claim for investment in non-Receiver entity

Claim Numbers	Description of Investment	Amount of Paper Claim	Reason for Disallowance
6760P (no allowed claims)	RTC	\$ 50,000.00	No liability claim
6760P (no allowed claims)	Integrated Alarm	\$ 50,000.00	Claim for investment in non-Receiver entity
6760P (no allowed claims)	CCI	\$ 50,000.00	Claim for investment in non-Receiver entity
6760P (no allowed claims)	Coventry/CMS	\$ 50,000.00	Claim for investment in non-Receiver entity

Doc #01-3099805.1A

## EXHIBIT C

Paper Claims Held by Investors Who Received Correspondence Before January, 2018

Claim Numbers	Description of Investment	Amount of Allowed Claim(s) (if applicable)	Amount of Paper Claim	Reason for Disallowance
No Number Assigned	Miscellaneous no liability investments		\$ 33,232.00	No liability claim
4417A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$120,000.00	\$120,000.00	Exact duplicate of Receiver-granted claim
5248P	No Liability, Third Albany Income Notes LLC		\$450,000.00	No liability claim
5249P	No Liability, Third Albany Income Notes LLC		\$450,000.00	No liability claim
5238A - 5244A	Coventry Carelink Holding Corp Series One Bonds		\$235,000.00	Claim for investment in non-Receivership entity
5238A - 5244A	Integrated Alarm Services		\$ 60,000.00	Claim for investment in non-Receivership entity
5238A - 5242A	Third Albany Income Notes		\$450,000.00	No liability claim
5238A - 5242A	CMS Financial Services Corp.		\$200,000.00	Claim for investment in non-Receivership entity
5238A - 5242A	Coventry Carelink Holding Corp Series One Bonds		\$ 35,000.00	Claim for investment in non-Receivership entity
5238A - 5242A	Integrated Alarm Services		\$ 60,000.00	Claim for investment in non-Receivership entity
5238A - 5242A	Integrated Alarm Services		\$100,000.00	Claim for investment in non-Receivership entity
5238A - 5242A	Integrated Alarm Services		\$300,000.00	Claim for investment in non-Receivership entity
5243A - 5244A	CMS Financial Services Corp.		\$200,000.00	Claim for investment in non-Receivership entity

Claim Numbers	Description of Investment	Amount of Allowed Claim(s) (if applicable)	Amount of Paper Claim	Reason for Disallowance
5243A - 5244A	Coventry Carelink Holding Corp. Series One Bonds		\$200,000.00	Claim for investment in non- Receivership entity
5243A - 5244A	Integrated Alarm Services, Inc.		\$ 60,000.00	Claim for investment in non- Receivership entity
5243A - 5244A	Integrated Alarm Services, Inc.		\$100,000.00	Claim for investment in non- Receivership entity
5243A - 5244A	Integrated Alarm Services, Inc.		\$300,000.00	Claim for investment in non- Receivership entity
5243A - 5244A	ExchangeBlvd.com		\$100,000.00	Claim for investment in non- Receivership entity
5238A - 5242A	ExchangeBlvd.com		\$100,000.00	Claim for investment in non- Receivership entity
5238A - 5242A	Worldwide Auction Solutions Inc.		Unknown	Claim for investment in non- Receivership entity
5243A - 5244A	Coventry Carelink Holding Corp.		\$200,000.00	Claim for investment in non- Receivership entity
5238A - 5242A	Coventry Carelink Holding Corp.		\$200,000.00	Claim for investment in non- Receivership entity
5238A - 5242A	Coventry Carelink Holding Corp. Series One Bonds		\$ 35,000.00	Claim for investment in non- Receivership entity
5353P - 5354P	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 88,483.60	\$100,000.00	Duplicate of Receiver-granted claims in different amount
5356P	No Liability, TDM Verifier Trust 08		\$ 50,000.00	No liability claim
5357P	No Liability, TDM Verifier Trust 08		\$ 50,000.00	No liability claim
5358P	No Liability, Firstline Sr. Trust 07		\$100,000.00	No liability claim
5403A - 5404A	Seton Hall Mortgage Note Holders	\$ 43,153.94	\$ 43,153.94	Exact duplicate of Receiver-granted claims
5468P	No Liability, TDM Cable Trust 06		\$ 90,000.00	No liability claim

Claim Numbers	Description of Investment	Amount of Allowed Claim(s) (if applicable)	Amount of Paper Claim	Reason for Disallowance
5469P	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 15,871.38	\$ 20,000.00	Duplicate of Receiver-granted claims in different amount
5470P	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 24,830.34	\$ 30,000.00	Duplicate of Receiver-granted claims in different amount
5474P	No Liability, Firstline Sr. Trust 07		\$ 6,233.00	No liability claim
5475P	No Liability, Firstline Sr. Trust 07		\$ 6,175.00	No liability claim
5476P	No Liability, McGinn Transaction Funding Corp.		\$ 58,300.00	No liability claim
5477P	No Liability, TDM Cable Trust 06		\$ 2,505.00	No liability claim
5478P	No Liability, TDM Verifier Trust 08		\$ 2,500.00	No liability claim
6470P	TDM Verifier Trust 07		\$ 90,000.00	No liability claim
6469P	Integrated Excellence Sr Trust 08	\$ 73,492.38	\$100,485.00	Duplicate of Receiver-granted claim in different amount
6482P	Integrated Excellence Sr Trust 08	\$ 73,492.38	\$100,485.00	Duplicate of Receiver-granted claim in different amount
6483P	No Liability, TDM Verifier Trust 08		\$ 90,000.00	No liability claim
6599A-6602A	SAI00		\$ 10,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
6599A-6602A	SAI00		\$ 15,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
6599A-6602A	SAI00		\$ 10,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
6599A-6602A	SAI00		\$ 15,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution

Claim Numbers	Description of Investment	Amount of Allowed Claim(s) (if applicable)	Amount of Paper Claim	Reason for Disallowance
6599A-6602A	Unknown		\$ 20,000.00	No liability claim
6602A	Third Albany Income Note, LLC	\$56,000.00	\$ 110,000.00	Investor partially redeemed this investment, which resulted in a reduced Receiver-granted claim
6602A	Third Albany Income Notes LLC (second identical paper claim)	\$56,000.00	\$ 110,000.00	Investor partially redeemed this investment, which resulted in a reduced Receiver-granted claim
6599A-6602A	SAI Trust 00		\$ 70,000.00	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
6599A-6602A	SAI Trust 03		Unknown	Claim for investment in entity excluded from Receivership pursuant to Plan of Distribution
6599A-6602A	RTC Trust 02		\$ 100,000.00	No liability claim

Doc #01-3099858.1A