

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 FORTY-FOURTH PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION
(Collateral Recovery Investors)**

PLEASE TAKE NOTICE that on February 8, 2019, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Forty-Fourth Payment Schedule of Investor Distributions (Collateral Recovery Investors), pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Investor Distributions (Collateral Recovery Investors) will continue to be filed on a rolling basis. 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 (who have received collateral recoveries), which amount has been rounded to the nearest whole dollar in accordance with Section 12 of the Plan.

Dated: February 8, 2019

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
Catherine N. Eisenhut (Bar Roll #520849)
Attorneys for Receiver
Omni Plaza
30 South Pearl Street
Albany, New York 12207
Telephone No. (518) 472-1224

and

One Canalside
125 Main Street
Buffalo, New York 14203
Telephone No.: (716) 847-8400

Doc #01-3037018.44

McGinn Smith & Co. Inc. - Forty-Fourth Payment Schedule of Investor Distributions (Collateral Recovery Investors)

February 8, 2019

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution*</i>
4325A	FAIN Secured Senior Notes	\$ 13,799.30	(See amount below)
4326A	FAIN Secured Senior Subordinated Notes	\$ 15,000.00	(See amount below)
4327A	FAIN Secured Senior Subordinated Notes	\$ 50,000.00	(See amount below)
4328A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$105,000.00	(See amount below)
4329A	FIIN Secured Senior Notes	\$ 22,733.21	(See amount below)
4330A	FIIN Secured Senior Notes	\$ 45,466.43	(See amount below)
4331A	FIIN Secured Senior Notes	\$ 45,466.43	(See amount below)
4332A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 15,000.00	(See amount below)
4333A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 30,000.00	(See amount below)
4334A	Integrated Excellence Sr. Trust 08	\$ 6,836.50	(See amount below)
4335A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 9,023.75	(See amount below)
4336A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 9,539.85	(See amount below)
4337A	FAIN Secured Senior Notes	\$ 32,198.37	(\$6,791.37)
4324A	TAIN Secured Senior Notes	\$ 50,013.07	(\$2,138.16)
4489A	TAIN Secured Senior Notes	\$ 22,733.21	(See amount below)
4490A	TAIN Secured Senior Notes	\$ 45,466.43	\$ 872.26
4554A	FAIN Secured Senior Subordinated Notes	\$ 20,000.00	(See amount below)
4555A	FAIN Secured Senior Subordinated Notes	\$ 40,000.00	(See amount below)
4556A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 59,517.68	(See amount below)
4557A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 24,830.34	(See amount below)
4558A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 31,583.13	(See amount below)

* If the Amount of First Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when second or later distributions are made.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution*</i>
4559A	TAIN Secured Senior Notes	\$272,798.58	\$ 5,525.46
5028A	FAIN Secured Senior Subordinated Notes	\$ 20,000.00	(See amount below)
5029A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 10,000.00	(See amount below)
5030A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 10,000.00	(See amount below)
5031A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 85,000.00	(See amount below)
5032A	FIIN Secured Senior Notes	\$ 72,746.29	(See amount below)
5033A	FIIN Secured Senior Notes	\$104,572.79	(See amount below)
5034A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 35,000.00	(See amount below)
5035A	Integrated Excellence Sr. Trust 08	\$ 10,254.75	(See amount below)
5036A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 15,000.00	(See amount below)
5037A	FAIN Secured Senior Notes	\$ 18,399.07	\$ 7,088.70
5038A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 10,000.00	(See amount below)
5039A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 35,000.00	(See amount below)
5040A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 25,000.00	\$ 1,235.64
5041A	FAIN Secured Senior Notes	\$ 36,798.14	\$ 698.43
5723A	FAIN Secured Senior Notes	\$ 9,199.54	(See amount below)
5724A	FAIN Secured Senior Subordinated Notes	\$ 10,000.00	(See amount below)
5725A	Integrated Excellence Sr. Trust 08	\$ 10,254.75	(See amount below)
5726A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	(See amount below)
5727A	FIIN Secured Senior Notes	\$ 68,199.64	(See amount below)
5728A	TAIN Secured Senior Notes	\$ 9,093.29	\$ 851.80
5729A	FAIN Secured Senior Subordinated Notes	\$ 10,000.00	(See amount below)
5730A	FIIN Secured Senior Notes	\$ 45,466.43	(See amount below)
5731A	FIIN Secured Senior Notes	\$ 4,546.64	(See amount below)
5732A	TAIN Secured Senior Notes	\$ 9,093.29	\$ 496.05

* If the Amount of First Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when second or later distributions are made.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution*</i>
5876A	FAIN Secured Senior Subordinated Notes	\$ 15,000.00	(See amount below)
5877A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 80,000.00	(See amount below)
5878A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 10,000.00	(See amount below)
5879A	Integrated Excellence Sr. Trust 08	\$ 6,836.50	(See amount below)
5880A	FAIN Secured Senior Notes	\$ 13,799.30	(See amount below)
5881A	FEIN Secured Senior Notes	\$119,593.97	(See amount below)
5882A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 77,500.00	\$ 6,782.54
6036A	Integrated Excellence Sr. Trust 08	\$ 17,091.25	(See amount below)
6037A	TRM Verifier Trust 07R Contract Certificates	\$ 25,000.00	(See amount below)
6038A	TDM Verifier Trust 07R Contract Certificates	\$ 50,000.00	(\$217.36)
6609A	FEIN Secured Senior Notes	\$ 22,998.83	\$ 355.00

Doc #01-3224459.1A

* If the Amount of First Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when second or later distributions are made.