

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

**NOTICE OF FILING OF FORTY-FIFTH PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on March 22, 2019, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Forty-Fifth 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. 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: March 22, 2019

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
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 #01-3037018.45

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

March 22, 2019

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
5218A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$200,000.00	\$20,000.00
5219A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 25,000.00	\$ 2,500.00
5220A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 25,000.00	\$ 2,500.00
5221A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 50,000.00	\$ 5,000.00
5222A	TDM Verifier Trust 08R Contract Certificate 9%	\$100,000.00	\$10,000.00
5223A	FAIN Secured Senior Notes	\$ 9,199.54	\$ 920.00
5224A	FAIN Secured Senior Notes	\$ 9,199.54	\$ 920.00
5225A	TAIN Secured Senior Notes	\$ 22,733.21	\$ 2,273.00
4149A	TAIN Secured Junior Notes Due 12/15/2009	\$ 30,000.00	\$ 3,000.00

Doc #01-3622635.1A