

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 SIXTY-SECOND PAYMENT SCHEDULE  
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on August 24, 2020, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Sixty-Second 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: August 24, 2020

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
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 #01-3037018.64

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

**August 24, 2020**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4139A	Seton Hall Mortgage Note Holders	\$ 4,395.09	\$ 440.00
4452A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
4453A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
6205A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00

Doc #9083026.2