

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 NINETEENTH PAYMENT SCHEDULE  
OF SECOND INVESTOR DISTRIBUTION  
(Collateral Recovery Investors)**

PLEASE TAKE NOTICE that on January 25, 2021, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Nineteenth Payment Schedule of Second Investor Distribution (Collateral Recovery Investors), pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Second 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 second 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: January 25, 2021

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
William J. Brown (Bar Roll #601330)  
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Doc #9154014.20

**McGinn Smith & Co. Inc. - Nineteenth Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)**

**January 25, 2021**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
4757A	Fortress Trust 08	\$159,288.82	<i>See Amount Below</i>
4758A	McGinn, Smith Transaction Funding Corp.	\$ 75,000.00	<i>See Amount Below</i>
4759A	McGinn, Smith Transaction Funding Corp.	\$100,000.00	<i>See Amount Below</i>
4760A	TAIN Secured Junior Notes Due 12/15/2009	\$ 10,000.00	<i>See Amount Below</i>
4761A	TDM Verifier Trust 07R Contract Certificates	\$100,000.00	<i>See Amount Below</i>
4762A	TAIN Secured Junior Notes Due 12/15/2009	\$ 30,000.00	<i>See Amount Below</i>
4763A	TDMM Benchmark Trust 09 8%	\$ 15,000.00	<i>See Amount Below</i>
4764A	TDMM Benchmark Trust 09 8%	\$ 20,000.00	\$45,916.10

Doc #9418200.1

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