

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 SECOND PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on May 11, 2017, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - 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 with increasing frequency. 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: May 11, 2017

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
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Doc #01-3037018.2

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

May 11, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4166A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00
4167A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00
4168A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
4169A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
4170A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
4171A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 7,935.69	\$ 794.00
4172A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 11,903.53	\$ 1,190.00
4173A	Firstline Trust 07 B Senior Contract Certificates 9.50% Due 10/01/11	\$ 8,276.78	\$ 828.00
4174A	Firstline Trust 07 B Senior Contract Certificates 9.50% Due 10/01/11	\$ 8,276.78	\$ 828.00
4175A	Integrated Excellence Jr Trust 08	\$ 9,658.96	\$ 966.00
4176A	Integrated Excellence Jr Trust 08	\$ 9,658.96	\$ 966.00
4177A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4178A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
4179A	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$ 10,000.00	\$ 1,000.00
4180A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 9,250.00	\$ 925.00
4181A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 18,500.00	\$ 1,850.00
4182A	TDM Verifier Trust 07RContract Certificates	\$ 5,000.00	\$ 500.00
4183A	TDM Verifier Trust 07RContract Certificates	\$ 10,000.00	\$ 1,000.00
4184A	TDM Verifier Trust 07RContract Certificates	\$ 10,000.00	\$ 1,000.00
4185A	TDM Verifier Trust 07RContract Certificates	\$ 15,000.00	\$ 1,500.00
4186A	TDM Verifier Trust 0910% Contract Certificates Due 12/31/11	\$ 9,023.75	\$ 902.00

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4250A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 23,125.00	\$ 2,313.00
4251A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 17,000.00	\$ 1,700.00
4260A	TAIN Secured Junior Notes Due 12/15/2009	\$ 7,000.00	\$ 700.00
4261A	TAIN Secured Junior Notes Due 12/15/2009	\$ 40,000.00	\$ 4,000.00
4262A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 40,000.00	\$ 4,000.00
4263A	TDM Verifier Trust 08 Contract Certificate 36	\$ 50,000.00	\$ 5,000.00
4265A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 70,000.00	\$ 7,000.00
4266A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
4267A	TAIN Secured Junior Notes Due 12/15/2009	\$100,000.00	\$10,000.00
4268A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$323,750.00	\$32,375.00
4269A	TDM Verifier Trust 07RContract Certificates	\$ 20,000.00	\$ 2,000.00
4270A	TDM Verifier Trust 07RContract Certificates	\$ 40,000.00	\$ 4,000.00
4271A	TDM Verifier Trust 08 Contract Certificate 36	\$100,000.00	\$10,000.00
4272A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$277,500.00	\$27,750.00
4277A	TDMM Cable Jr Trust 09 11%	\$ 20,000.00	\$ 2,000.00
4278A	Seton Hall Mortgage Note Holders	\$ 8,630.83	\$ 863.00
4279A	Fortress Trust 08	\$ 19,911.10	\$ 1,991.00
4280A	TDMM Cable Sr Trust 09 9%	\$ 15,586.52	\$ 1,559.00
4282A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 50,000.00	\$ 5,000.00
4283A	FEIN 10.25% Secured Junior Notes Due 01/20/2009	\$ 50,000.00	\$ 5,000.00
4284A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$100,000.00	\$10,000.00
4285A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 50,000.00	\$ 5,000.00
4286A	Firstline Trust 07 B Junior Contract Certificates 11% Due 10/01/12	\$ 19,839.22	\$ 1,984.00
4287A	TAIN Secured Junior Notes Due 12/15/2009	\$100,000.00	\$10,000.00
4288A	McGinn, Smith Firstline Funding, LLC	\$ 3,750.00	\$ 375.00
6233A	TAIN Secured Junior Notes Due 12/15/2009	\$100,000.00	\$10,000.00

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4289A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 15,000.00	\$ 1,500.00
4290A	TAIN Secured Junior Notes Due 12/15/2009	\$ 10,000.00	\$ 1,000.00
4291A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4305A	TDM Verifier Trust 07RContract Certificates	\$ 10,000.00	\$ 1,000.00
4306A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	\$ 779.00
4307A	TDM Verifier Trust 0910% Contract Certificates Due 12/31/11	\$ 9,023.75	\$ 902.00
4308A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
4309A	FIIN 10.25% Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4310A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
4311A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4312A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4313A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 50,000.00	\$ 5,000.00
4314A	FAIN Secured Senior Notes	\$ 22,998.83	\$ 2,300.00