

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 TWENTY-FIRST PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on January 12, 2018, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Twenty-First 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: January 12, 2018

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
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and

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Doc #01-3037018.21

January 12, 2018

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4101A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
4102A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
4103A	FIIN Secured Senior Notes	\$ 31,826.50	\$ 3,183.00
4104A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
4105A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 50,000.00	\$ 5,000.00
4680A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 5,000.00	\$ 500.00
4681A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 6,000.00	\$ 600.00
4682A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 7,000.00	\$ 700.00
4683A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 8,000.00	\$ 800.00
4684A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 15,000.00	\$ 1,500.00
4685A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 34,000.00	\$ 3,400.00
4686A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 75,000.00	\$ 7,500.00
4687A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 100,000.00	\$ 10,000.00
4688A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
4689A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	\$ 2,500.00
4690A	TAIN Secured Junior Notes Due 12/15/2009	\$ 10,000.00	\$ 1,000.00
4691A	TAIN Secured Junior Notes Due 12/15/2009	\$ 15,000.00	\$ 1,500.00
4692A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4693A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
4694A	TAIN Secured Junior Notes Due 12/15/2009	\$ 45,000.00	\$ 4,500.00
4909A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 22,120.90	\$ 2,212.00
4910A	TDMM Cable Sr Trust 09 9%	\$ 19,483.15	\$ 1,948.00
4926A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 9,000.00	\$ 900.00
4927A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 52,000.00	\$ 5,200.00
4928A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 75,000.00	\$ 7,500.00
4529A	TAIN Secured Junior Notes Due 12/15/2009	\$ 30,000.00	\$ 3,000.00

January 12, 2018

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4930A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
4931A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 75,000.00	\$ 7,500.00
4932A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 35,000.00	\$ 3,500.00
4933A	TAIN Secured Junior Notes Due 12/15/2009	\$ 30,000.00	\$ 3,000.00
4934A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
4935A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 100,000.00	\$ 10,000.00
4936A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 15,000.00	\$ 1,500.00
4937A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 9,000.00	\$ 900.00
5253P	Fortress Trust 08	\$ 23,893.32	\$ 2,389.00
5254A	TDM Verifier Trust 08 Contract Certificate 36	\$ 10,000.00	\$ 1,000.00
5411A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
5412A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	\$ 1,000.00
5413A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
5414A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 25,000.00	\$ 2,500.00
5415A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 23,125.00	\$ 2,313.00
5420A	Seton Hall Mortgage Note Holders	\$ 21,576.97	\$ 2,158.00
5442A	TAIN Secured Junior Notes Due 12/15/2009	\$ 20,000.00	\$ 2,000.00
6075A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
6298A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 13,875.00	\$ 1,388.00
6299A	Fortress Trust 08	\$ 318,577.64	\$ 31,858.00
6300A	Pacific Trust	\$ 18,200.00	\$ 1,820.00
6301A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 10,000.00	\$ 1,000.00
6302A	FEIN 10.25 Secured Junior Notes Due 01/30/2009	\$ 130,000.00	\$ 13,000.00
6303A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 250,000.00	\$ 25,000.00
6304A	TAIN Secured Junior Notes Due 12/15/2009	\$ 150,000.00	\$ 15,000.00
6305A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 20,000.00	\$ 2,000.00

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

January 12, 2018

	<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
	6306A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 32,375.00	\$ 3,238.00
	6307A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 67,678.13	\$ 6,768.00
	6813A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	\$ 2,500.00

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