

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

NOTICE OF APPEARANCE

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,

Case No.: 1:10-CV-457
(GLS/DRH)

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.

TO: THE CLERK OF THE COURT AND ALL PARTIES OF RECORD

PLEASE TAKE NOTICE, that Linda J. Clark and Brad M. Gallagher of Barclay Damon LLP have been retained and hereby appear as counsel of record for METAL CONSULTANTS CORP. PROFIT SHARING PLAN TRUST, THE PALAZZO FAMILY REVOCABLE TRUST, JOHN T. PALAZZO, PARKER PALAZZO, JOHN M. PALAZZO

AND JEANNE M. PALAZZO, in the above-captioned action and certify that they are admitted to practice in this court.

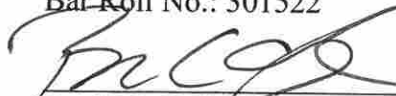
Dated: July 24, 2018

BARCLAY DAMON LLP



Linda J. Clark

Bar Roll No.: 301522



Brad M. Gallagher

Bar Roll No.: 514986

*Attorneys for Moving Investors:
Metal Consultants Corp. Profit Sharing
Plan Trust, The Palazzo Family Revocable
Trust, John T. Palazzo, Parker Palazzo,
John M. Palazzo and Jeanne M. Palazzo
80 State Street – 6th Floor
Albany, New York 12207
Telephone: (518) 429-4200*