

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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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.*

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**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 BRAD FISHER, BURTON FISHER (DECEASED) JOAN FISHER (DECEASED); JILL FISHER, BRADLY AND CAROL FISHER REVOCABLE TRUST, JENNIFER SACK REVOCABLE TRUST,

JASON SACK REVOCABLE TRUST, MICHAEL SACK REVOCABLE TRUST, ONE CITY CENTER ASSOCIATES, KIMBERLY FISHER and KELSEY FISHER, in the above-captioned action and certify that they are admitted to practice in this court.

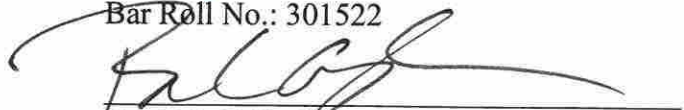
Dated: July 23, 2018

BARCLAY DAMON LLP



Linda J. Clark

Bar Roll No.: 301522



Brad M. Gallagher

Bar Roll No. 514986

*Attorneys for Moving Investors:*

*Brad Fisher, Burton Fisher (deceased) Joan Fisher (deceased); Jill Fisher, Bradley and Carol Fisher Revocable Trust, Jennifer Sack Revocable Trust, Jason Sack Revocable Trust, Michael Sack Revocable Trust, One City Center Associates, Kimberly Fisher and Kelsey Fisher*

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