

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

PLEASE TAKE NOTICE that on October 16, 2020, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Fourth 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: October 16, 2020

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut
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Doc #9154014.4

McGinn Smith & Co. Inc. - Fourth Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)**October 16, 2020**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
4491A	FAIN Secured Senior Notes	\$ 13,799.30	<i>See amount below</i>
4492A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 140,000.00	<i>See amount below</i>
4493A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 40,000.00	<i>See amount below</i>
4494A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 13,535.63	<i>See amount below</i>
4495A	FAIN Secured Senior Notes	\$ 13,799.30	<i>See amount below</i>
4496A	FAIN Secured Senior Nots	\$ 13,799.30	<i>See amount below</i>
4497A	FAIN Secured Senior Notes	\$ 73,596.29	<i>See amount below</i>
4498A	FIIN Secured Senior Notes	\$ 13,639.93	<i>See amount below</i>
4499A	FIIN Secured Senior Notes	\$ 113,666.07	<i>See amount below</i>
4500A	FIIN Secured Senior Notes	\$ 13,639.93	<i>See amount below</i>
4501A	FIIN Secured Senior Notes	\$ 45,466.43	<i>See amount below</i>
4502A	FIIN Secured Senior Notes	\$ 90,932.86	<i>See amount below</i>
4503A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 55,000.00	<i>See amount below</i>
4504A	TAIN Secured Senior Notes	\$ 59,106.36	<i>See amount below</i>
4505A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 200,000.00	<i>See amount below</i>
4506A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 18,047.50	<i>See amount below</i>
4507A	TAIN Secured Senior Notes	\$ 250,137.36	<i>See amount below</i>
4508A	FAIN Secured Senior Notes	\$ 41,397.91	<i>See amount below</i>
4509A	TAIN Secured Senior Notes	\$ 45,466.43	\$100,683.73

* 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.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
4630A	FAIN Secured Senior Subordinated Notes	\$ 125,000.00	<i>See amount below</i>
4631A	FIIN Secured Senior Notes	\$ 59,106.36	<i>See amount below</i>
4627A	FAIN Secured Senior Notes	\$ 114,994.19	(\$90,179.90)
4659A	TAIN Secured Junior Notes Due 12/15/2009	\$ 28,000.00	\$ 1,792.48
4727A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 62,075.84	<i>See amount below</i>
4728A	Integrated Excellence Sr Trust 08	\$. 47,855.50	<i>See amount below</i>
4729A	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$ 37,000.00	<i>See amount below</i>
4730A	TDM Verifier Trust 08 Contract Certificate 36	\$ 80,000.00	<i>See amount below</i>
4731A	FAIN Secured Senior Notes	\$ 68,996.51	\$29,075.72
4951A	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$ 448,855.00	<i>See amount below</i>
4952A	McGinn, Smith Transaction Funding Corp.	\$1,000,000.00	<i>See amount below</i>
4953A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 250,000.00	<i>See amount below</i>
4954A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 90,237.50	<i>See amount below</i>
4955A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 476,992.50	<i>See amount below</i>
4956A	TDMM Benchmark Trust 09 8%	\$ 25,000.00	<i>See amount below</i>
4957A	TDMM Benchmark Trust 09 10%	\$ 50,000.00	<i>See amount below</i>
4958A	TDMM Benchmark Trust 09 11%	\$ 75,000.00	<i>See amount below</i>
4959A	TDMM Benchmark Trust 09 12%	\$ 100,000.00	<i>See amount below</i>
4960A	TDMM Benchmark Trust 09 9%	\$ 50,000.00	<i>See amount below</i>
4961A	FIIN Secured Senior Notes	\$ 454,664.29	\$221,886.59

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* 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.