

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**SECURITIES AND EXCHANGE COMMISSION,**

*Plaintiff,*

v.

**McGINN, SMITH & CO., INC., et al.,**

*Defendants*

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**10-cv-457 (GLS)(CFH)**

**SATISFACTION OF JUDGMENT AS TO  
LYNN A. SMITH AND GEOFFREY R. SMITH**

WHEREAS, the Final Judgments as to David L. Smith (Dkt. 835), and Lynn A. Smith and Geoffrey R. Smith (Dkt. 837) ordered David Smith, Lynn Smith and Geoffrey Smith to be jointly and severally liable for the return of certain funds that were found to have been fraudulently transferred in July 2010, and the remaining balance due is \$389,000.59;

WHEREAS, Lynn Smith also owes \$51,232 pursuant to a Judgment dated October 6, 2011 (Dkt. 399);

WHEREAS, Part VII(A) of the David Smith Judgment (Dkt. 835 at 7) states that David Smith is a “joint owner” of a brokerage account in the name of Lynn Smith, account number RMR-XX0916 (the “Stock Account”);

THEREFORE, it is ordered that, upon the consent of the SEC and David, Lynn and Geoffrey Smith, \$389,000.59 and \$51,232 is applied from the Stock Account, to pay in full: (1) the joint-and-several payment obligations of David, Lynn and Geoffrey Smith arising from the

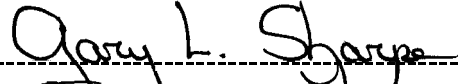
July 2010 transfers from the Trust Account; and (2) Lynn Smith's payment obligation under the October 11, 2011 Judgment; and

THEREFORE, it is further ordered that full and complete satisfaction of: (1) the joint-and-several provisions for monetary relief pertaining to the fraudulently conveyed assets in Part VII of the David Smith Final Judgment, and in the Lynn Smith and Geoffrey Smith Final Judgment; and (2) the payment obligations in the Judgment dated October 11, 2011, is hereby acknowledged; and

THEREFORE, it is further ordered that the asset freeze imposed by the Court shall be discontinued solely as to Lynn Smith and Geoffrey Smith; and

THEREFORE, it is further ordered that except as set forth herein, the Final Judgment as to David Smith, including the disgorgement obligation, which is joint-and-several with Defendant Timothy McGinn, remains in full force and effect.

Dated: Albany, NY  
November 3, 2020

  
UNITED STATES DISTRICT JUDGE