

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

PLEASE TAKE NOTICE that on November 25, 2020, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Tenth 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: November 25, 2020

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
William J. Brown (Bar Roll #601330)  
Catherine N. Eisenhut (Bar Roll #520849)  
Attorneys for Receiver  
Omni Plaza  
30 South Pearl Street  
Albany, New York 12207  
Telephone No. (518) 472-1224

and

One Canalside  
125 Main Street  
Buffalo, New York 14203  
Telephone No.: (716) 847-8400

Doc #9154014.11

**McGinn Smith & Co. Inc. - Tenth Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)**

**November 25, 2020**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
5723A	FAIN Secured Senior Notes	\$ 9,199.54	<i>(See amount below)</i>
5724A	FAIN Secured Senior Subordinated Notes	\$ 10,000.00	<i>(See amount below)</i>
5725A	Integrated Excellence Sr. Trust 08	\$ 10,254.75	<i>(See amount below)</i>
5726A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 30,000.00	<i>(See amount below)</i>
5727A	FIIN Secured Senior Notes	\$ 68,199.64	<i>(See amount below)</i>
5728A	TAIN Secured Senior Notes	\$ 9,093.29	\$ 12,822.20
5729A	FAIN Secured Senior Subordinated Notes	\$ 10,000.00	<i>(See amount below)</i>
5730A	FIIN Secured Senior Notes	\$ 45,466.43	<i>(See amount below)</i>
5731A	FIIN Secured Senior Notes	\$ 4,546.64	<i>(See amount below)</i>
5732A	TAIN Secured Senior Notes	\$ 9,093.29	\$ 6,414.95
5836A	FAIN Secured Senior Subordinated Notes	\$200,000.00	<i>(See amount below)</i>
5837A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$225,000.00	\$40,681.33
5839A	FAIN Secured Senior Notes	\$ 78,196.05	<i>See amount below</i>
5840A	FAIN Secured Senior Subordinated Notes	\$ 40,000.00	<i>See amount below</i>
5841A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 13,272.54	<i>See amount below</i>
5842A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 35,393.44	<i>See amount below</i>
5843A	Integrated Excellence Sr Trust 08	\$ 10,254.75	<i>See amount below</i>
5844A	FAIN Secured Senior Notes	\$ 11,039.44	\$17,002.34
5923A	FAIN Secured Senior Notes	\$ 91,995.36	<i>See amount below</i>
5924A	FIIN Secured Senior Notes	\$ 68,199.64	<i>See amount below</i>
5925A	TAIN Secured Senior Notes	\$ 68,199.64	\$15,159.98

\* 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>
5935A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 0.00	<i>See amount below</i>
5936A	FAIN Secured Senior Notes	\$193,190.25	<i>See amount below</i>
5937A	TAIN Secured Senior Notes	\$ 9,093.29	<i>See amount below</i>
5938A	TAIN Secured Senior Notes	\$ 18,186.57	<i>See amount below</i>
5939A	TAIN Secured Senior Notes	\$104,572.79	\$26,540.96

Doc #9268456.2

\* 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.