

**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 Civ. 457 (GLS/DRH)**  
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**DECLARATION OF SERVICE**

I, David Stoelting, pursuant to 28 U.S.C. § 1746, certify that December 15, 2010, I filed on the Court’s ECF system, the following documents:

- Memorandum of Law in Support of Plaintiff’s Motion to Modify the Asset Freeze to Allow the Sale of the Vero Beach Property and to Appoint the Receiver to Oversee the Sate dated December 15, 2010;
- Declaration of Kevin P. McGrath dated December 15, 2010
- Declaration of William J. Brown, Receiver, dated December 13, 2010,

And sent by electronic mail copies of the above-referenced documents to:

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Dated: December 15, 2010  
New York, New York

**s/David Stoelting**  
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