

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

10 Civ. 457 (GLS/DRH)

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, DAVID L. SMITH,
LYNN A. SMITH, DAVID M. WOJESKI, Trustee of
the David L. and Lynn A. Smith Irrevocable
Trust U/A 8/04/04, GEOFFREY R. SMITH,
LAUREN T. SMITH, and NANCY MCGINN,

Defendants,

LYNN A. SMITH, and
NANCY MCGINN,

Relief Defendants, and

DAVID M. WOJESKI, Trustee of the
David L. and Lynn A. Smith Irrevocable
Trust U/A 8/04/04,

Intervenor.

DECLARATION OF SERVICE

I, David Stoelting, pursuant to 28 U.S.C. § 1746, certify that on January 31, 2011,
I filed on the Court’s ECF system the following documents:

- Notice of Motion;
- Memorandum of Law in Support of Plaintiff’s Motion for Sanctions; and
- Declaration of Lara Shalov Mehraban and accompanying Exhibits A to I;

And on January 31, 2011, I sent by electronic mail a copy of the above-referenced documents to:

Nancy McGinn
26 Port Huron Drive
Niskayuna, NY 12309
nemcginn@yahoo.com
Appearing Pro Se

And I sent by electronic mail (on January 31, 2011) and UPS Overnight (on February 1, 2011) a copy of the above-referenced documents to:

Thomas E. Peisch, Esq.
Conn Kavanaugh Rosenthal Peisch & Ford, LLP
Ten Post Office Square
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Counsel for Thomas Urbelis

Dated: February 1, 2011
New York, New York

s/David Stoelting
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