

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK



**ELECTRONIC NOTICE OF CIVIL APPEAL & CLERK'S CERTIFICATION**

Dear Clerk of the Court,

Please take notice that on February 11, 2011 the court received a Notice of Appeal. This notice serves to inform you of the pending appeal and provides you with the information needed to process the appeal.

I, LAWRENCE K. BAERMAN, CLERK, U.S. District Court for the Northern District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below, are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the below listed action.

The following documents *are not* available electronically in the Albany Clerk's Office. Please notify our office if you need any of the following documents:

Docket No.(s): 193, 246

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Albany, New York, this 23<sup>rd</sup> day of February, 2011.

Lawrence K. Baerman, Clerk  
U.S. District Court

By: s/Maria A. Blunt  
Deputy Clerk

**Case Information**

Case Name & Case No. SEC v. McGinn, Smith & Co, Inc., et al.; 1:10-cv-457  
Docket No. of Appeal: 279  
Document Appealed: 263

Fee Status: Paid  Due \_\_\_ Waived (IFP/CJA) \_\_\_  
IFP revoked \_\_\_ Application Attached \_\_\_ IFP pending before USDJ \_\_\_

Counsel: Retained  Pro Se \_\_\_

Time Status: Timely  Untimely \_\_\_

Motion for Extension of Time: Granted \_\_\_ Denied \_\_\_

Certificate of Appealability: Granted \_\_\_ Denied \_\_\_ N/A

State Court Papers are being sent by UPS as of: N/A