

Case 1:10-cv-00457-GLS -DRH Document 343-1 Filed 07/27/11 Page 1 of 1
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, and

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 0/04/04,

Intervenor.

**CONSENT ORDER VACATING STAY
AS TO CERTAIN REAL PROPERTY**

Upon the letter request of the Receiver in this action dated July 27, 2011, the
Court hereby

ORDERS that the stay applicable to the property located at 7 Century Hill Drive,
Town of Colonie, New York owned by Upstate Imaging Associates is hereby vacated without
the necessity of further action by the County of Albany.

Dated: ~~July 27~~, 2011

8/4/11



HON. DAVID R. HOMER
UNITED STATES MAGISTRATE JUDGE