

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

McGINN, SMITH & CO., INC., et al.,

Defendants.

Case No. 10-CV-457
(GLS/DRH)

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that the undersigned appears as Attorneys for RBS Citizens, N.A. in the above captioned matter for the limited purpose of joining with the Securities and Exchange Commission in a motion to be heard on August 16, 2012, at 9:30 a.m., or at any other date convenient to the Court, before the Honorable David R. Homer, United States Magistrate Judge, United States District Court, Northern District of New York, 445 Broadway, Albany, NY, for an order modifying the asset freeze to allow for the sale of the Saratoga Springs property and appointing the Receiver to oversee the sale. All papers in this proceeding should be served upon the undersigned at the address listed below.

Dated: Albany, New York
July 11, 2012

COOPER ERVING & SAVAGE LLP
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