

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

vs. :

Case No. 1:10-CV-457
(GLS/CFH)

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, AND :
DAVID L. SMITH, GEOFFREY R. SMITH, :
Individually and as Trustee of the David L. and :
Lynn A. Smith Irrevocable Trust U/A 8/04/04, :
LAUREN T. SMITH, and NANCY McGINN, :

Defendants, :

LYNN A. SMITH and :
NANCY McGINN, :

Relief Defendants. and :

GEOFFREY R. SMITH, Trustee of the :
David L. and Lynn A. Smith Irrevocable :
Trust U/A 8/04/04, :

Intervenor. :

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CERTIFICATE OF SERVICE

I, Karen M. Ludlow, pursuant to 28 U.S.C. § 1746, certify that on July 2, 2013, the Receiver's (I) Reply to Smiths' Joint Motion for Modification of the Preliminary Injunction Order to Release Assets to Pay Criminal Tax Obligations and (II) Joinder in SEC's Memorandum of Law in Opposition was caused to be served by e-mail upon all parties who receive electronic notice in this case pursuant to the Court's ECF filing system, and on July 3, 2013 by First Class Mail to the parties indicated below:

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Dated: July 3, 2013

/s/ Karen M. Ludlow
Karen M. Ludlow

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