

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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SUPPLEMENTAL AND AMENDED CERTIFICATE OF SERVICE

I, Karen M. Ludlow, being at all times over 18 years of age, hereby certify that on September 13, 2013, a true and correct copy of the Letter Order signed by the Hon. Christian F. Hummel on September 11, 2013 and entered on September 13, 2013 relating to the Motion of William J. Brown, as Receiver, for an Order Approving the Settlement with Verifier Capital Holdings, LLC with Respect to the Redemption of the Guaranteed Payment Units and Common Units Issued to TDM Cable Funding, LLC and McGinn Smith Funding, LLC Free and Clear of Liens, Claims and Encumbrances 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 by the method specified on the parties indicated below:

First Class Mail

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This also amends the prior Certificate of Service filed on September 11, 2013 (Docket No. 590) to the extent that the overnight courier package to the individuals noted above to receive service by Overnight Courier were sent on September 13, 2013 rather than on September 11, 2013 so as to contain the Motion and the signed Letter Order.

Dated: September 13, 2013

/s/ Karen M. Ludlow

Karen M. Ludlow