

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

vs.

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,
LYNN A. SMITH, GEOFFREY R. SMITH, 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,

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

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.

CERTIFICATE OF SERVICE

I, hereby certify that on October 18, 2013, I filed a Notice of Motion Seeking to Modify the Asset Freeze to Provide Living Expenses, Release Certain Accounts in the Names of Geoffrey and Lauren Smith, and to Provide Counsel Fees, Memorandum of Law, Affidavit of Lynn A. Smith and Declaration of Counsel in support on behalf of Defendant/Relief Defendant, Lynn A. Smith, Defendant/Intervenor, Geoffrey R. Smith, individually and as Trustee of the David L. and Lynn A. Smith Irrevocable Trust 8/04/04

and Defendant, Lauren T. Smith, and served a copy of such by CM/ECF and electronic mail to the following:

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Intervenor, Geoffrey R. Smith, Trustee
of the David L. and Lynn A. Irrevocable
Trust U/A 8/04/04 & Defendant,
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