

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 JULY 8, 2014, I filed an AFFIDAVIT OF JAMES D. LINNAN,
AFFIDAVIT OF GEOFFREY R. SMITH, MEMORANDUM OF LAW, STATEMENT OF
MATERIAL FACTS, NOTICE TO PRO SE LITIGANT, NANCY MCGINN AND EXHIBITS,

by overnight delivery by mailing the same in a sealed envelope, with postage prepared thereon, in an official depository of the United Parcel Services within the State of New York to the last known address of the addressee as follows:

Nancy McGinn
426 – 8th Avenue
Troy, New York 12182

Dated: Albany, New York
July 8, 2014

Linnan & Fallon, LLP
By /s/ James D. Linnan
James D. Linnan (Bar Roll #102058)
*Attorneys for Geoffrey R. Smith, Trustee of
the David L. and Lynn A. Smith Irrevocable
Trust U/A 8/04/04, Geoffrey R. Smith and
Lauren T. Smith*
61st Columbia Street
Albany, N.Y. 12210
518-449-5400
jdlinnan@linnan-fallon.com
www.linnan-fallon.com