

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK



**ELECTRONIC NOTICE OF CIVIL APPEAL & CLERK'S CERTIFICATION**

Dear Clerk of the Court,

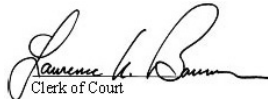
Please take notice that on April 22, 2015 the court received two notice of appeals. This notice serves to inform you of the pending appeal and provides you with the information needed to process the appeal.

I, LAWRENCE K. BAERMAN, CLERK, U.S. District Court for the Northern District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below, are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the below listed action.

The following documents *are not* available electronically. Please notify the Syracuse Clerk's Office if you need any of the following documents:

Docket No.(s): 193, 246, 401, 410, 411, 412, 415, 416, 547, 549, 554, 556, 560, 561, 578, 606, 811, 812 .

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Syracuse, New York, this 22<sup>nd</sup> day of April, 2015.

  
Lawrence K. Baerman  
Clerk of Court



By: s/ Michelle Coppola  
Deputy Clerk

**Case Information**

Case Name & Case No. Securities and Exchange Commission v. McGinn, Smith & Co, Inc. et al 1:10-CV-457 (GLS/CFH)

Docket No. of Appeal: [822] - Notice of Appeal filed by David L. Smith and [824] - Notice of Appeal filed by Lynn A. Smith

Document Appealed: [807] and [816] Memorandum-Decision and Orders

Fee Status: Paid X

Counsel: Retained X

Time Status: Timely X

Motion for Extension of Time: N/A X

Certificate of Appealability: N/A X