

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

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.

ORDER TO FILE DECLARATION UNDER SEAL


Upon the March 9, 2016 Motion of the Receiver to file Declaration Under
Seal ("Motion"), it is hereby:

ORDERED that the Motion is granted;

IT IS FURTHER ORDERED that the Receiver shall serve the Confidential Declaration of William J. Brown, as Receiver, dated March 9, 2016, upon the parties; and

IT IS FURTHER ORDERED that the parties shall maintain the confidentiality of the information filed under seal.

Dated: March 10, 2016


Hon. Gary L. Sharpe
United States District Judge

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