

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 :

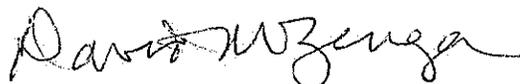
GEOFFREY R. SMITH, Trustee of the :
David L. and Lynn A. Smith Irrevocable :
Trust U/A 8/04/04, :

Intervenor. :
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CERTIFICATE OF MAILING

I, DAVID ZENGER, of Zenger Group, certify under penalty of perjury pursuant to 28 U.S.C. §1746 that on February 6, 2017, I caused to be mailed by First Class Mail to the addressees on the attached Schedule the (i) Investor Letter and (ii) Investor Questionnaire as directed by William J. Brown, Receiver of McGinn, Smith & Co. Inc., et al.

February 9, 2017


DAVID M. ZENGER
[Printed Name]

SCHEDULE OF INVESTOR MAILING LIST

Redacted from Certificate of Mailing filed with Court for Investor Privacy Reasons.