

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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SUPPLEMENTAL CERTIFICATE OF SERVICE

I, Karen M. Ludlow, being at all times over 18 years of age, hereby certify that on September 22, 2017, a true and correct copy of the Notice of Motion and Motion of William J. Brown, as Receiver, for an Order Disallowing Duplicative Paper Claims and a copy of the Receiver's explanatory letter ("Motion and Letter") was mailed, via first class mail using the United States Postal Service, to the investors with the claim numbers listed on the attached Exhibit A which was filed with the Motion on September 21, 2017 (Docket No. 937).

Dated: September 22, 2017

/s/ Karen M. Ludlow
Karen M. Ludlow

Exhibit A

EXHIBIT A

Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
4101	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$25,000.00	\$25,000.00
4102	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$50,000.00	\$50,000.00
4103	FIIN SECURED SENIOR NOTES	\$31,826.50	\$31,826.50
4104	TAIN SECURED SENIOR SUBORDINATED NOTES 7.75% DUE 12/15/2009	\$50,000.00	\$50,000.00
4105	FIIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$50,000.00	\$50,000.00
4147	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$25,000.00	\$25,000.00
4148	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$100,000.00	\$100,000.00
4355	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$50,000.00	\$50,000.00
4451	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$50,000.00	\$50,000.00
4737	FIRSTLINE TRUST 07 B SENIOR CONTRACT CERTIFICATES 9.50% DUE 10/01/11	\$57,937.45	\$57,937.45
4744	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$25,000.00	\$25,000.00
4745	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$10,000.00	\$10,000.00
4778	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$47,000.00	\$47,000.00
4814	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$10,000.00	\$10,000.00
4815	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$10,000.00	\$10,000.00
4834	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$525,000.00	\$525,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
4835	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$250,000.00	\$250,000.00
4863	TAIN SECURED SENIOR SUBORDINATED NOTES 7.75% DUE 12/15/2009	\$165,000.00	\$165,000.00
4876	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE TDMVER 18	\$100,000.00	\$100,000.00
4879	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$25,000.00	\$25,000.00
4880	TDM CABLE TRUST 06 10% CONTRACT CERTIFICATES DUE 11/15/10	\$20,000.00	\$20,000.00
4881	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$10,000.00	\$10,000.00
4889	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$25,000.00	\$25,000.00
4890	TDM CABLE TRUST 06 10% CONTRACT CERTIFICATES DUE 11/15/10	\$20,000.00	\$20,000.00
4891	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$10,000.00	\$10,000.00
4909	FIRSTLINE TRUST 07 9.25% SENIOR CONTRACT CERTIFICATES DUE 09/01/10	\$22,120.90	\$22,120.90
4910	TDDM CABLE SR TRUST 09 9%	\$19,483.15	\$19,483.15
4970	FIIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$5,000.00	\$5,000.00
4971	FIIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$20,000.00	\$20,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim	Paper Claim
		on Receiver's Website	Amount
4972	TAIN SECURED SENIOR SUBORDINATED NOTES 7.75% DUE 12/15/2009	\$10,000.00	\$10,000.00
5179	FAIN 10.25% SECURED JUNIOR NOTES DUE 11/15/2010	\$50,000.00	\$50,000.00
5180	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$20,000.00	\$20,000.00
5181	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$40,000.00	\$40,000.00
5182	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$50,000.00	\$50,000.00
5254	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$10,000.00	\$10,000.00
5355	McGinn, Smith Firstline Funding, LLC	\$25,000.00	\$25,000.00
5383	FAIN 10.25% SECURED JUNIOR NOTES DUE 11/15/2010	\$40,000.00	\$40,000.00
5384	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$25,000.00	\$25,000.00
5385	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$25,000.00	\$25,000.00
5386	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$50,000.00	\$50,000.00
5444	TDM Cable Funding LLC	\$50,000.00	\$50,000.00
5471	McGinn, Smith Transaction Funding Corp.	\$250,000.00	\$250,000.00
5472	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$25,000.00	\$25,000.00
5473	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$25,000.00	\$25,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
5499	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$50,000.00	\$50,000.00
5531	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$45,000.00	\$45,000.00
5546	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$50,000.00	\$50,000.00
5547	FAIN SECURED SENIOR SUBORDINATED NOTES	\$100,000.00	\$100,000.00
5548	FIIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$55,000.00	\$55,000.00
5549	TAIN SECURED SENIOR NOTES	\$9,093.29	\$9,093.29
5550	TAIN SECURED SENIOR NOTES	\$4,546.64	\$4,546.64
5551	TAIN SECURED SENIOR NOTES	\$113,666.07	\$113,666.07
5554	FIIN SECURED SENIOR NOTES	\$9,093.29	\$9,093.29
5555	FIIN SECURED SENIOR NOTES	\$150,039.22	\$150,039.22
5556	FAIN SECURED SENIOR NOTES	\$25,758.70	\$25,758.70
5557	FAIN SECURED SENIOR NOTES	\$27,598.61	\$27,598.61
5558	FAIN SECURED SENIOR SUBORDINATED NOTES	\$125,000.00	\$125,000.00
5559	TAIN SECURED SENIOR NOTES	\$45,466.43	\$45,466.43
5560	TAIN SECURED SENIOR NOTES	\$54,559.72	\$54,559.72
5561	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$100,000.00	\$100,000.00
5563	FIRSTLINE TRUST 07 9.25% SENIOR CONTRACT CERTIFICATES DUE 09/01/10	\$55,302.25	\$55,302.25
5694	TDM Cable Funding LLC	\$100,000.00	\$100,000.00
5702	TDM BENCHMARK TRUST 09 12%	\$25,000.00	\$25,000.00
5781	FIIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$75,000.00	\$75,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
5782	FIN SECURED SENIOR SUBORDINATED NOTES DUE 12/15/2008	\$125,000.00	\$125,000.00
5783	McGinn, Smith Capital Holdings Corp.	\$50,000.00	\$50,000.00
5784	McGinn, Smith Transaction Funding Corp.	\$25,000.00	\$25,000.00
5785	McGinn, Smith Transaction Funding Corp.	\$75,000.00	\$75,000.00
5832	FIRSTLINE TRUST 07 B SENIOR CONTRACT CERTIFICATES 9.50% DUE 10/01/11	\$82,767.79	\$82,767.79
5833	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$115,000.00	\$115,000.00
5834	TDM VERIFIER TRUST 08 CONTRACT CERTIFICATE 36	\$130,000.00	\$130,000.00
5835	McGinn, Smith Firstline Funding, LLC	\$14,000.00	\$14,000.00
5945	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$700,000.00	\$700,000.00
6083	TAIN SECURED SENIOR SUBORDINATED NOTES 7.75% DUE 12/15/2009	\$200,000.00	\$200,000.00
6122	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$15,000.00	\$15,000.00
6125	Cruise Charter Ventures, LLC	\$100,000.00	\$100,000.00
6126	FIN 10.25% SECURED JUNIOR NOTES DUE 12/15/2008	\$200,000.00	\$200,000.00
6131	McGinn, Smith Firstline Funding, LLC	\$300,000.00	\$300,000.00
6132	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$75,000.00	\$75,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
6134	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$20,000.00	\$20,000.00
6312	TDDMM BENCHMARK TRUST 09 12%	\$150,000.00	\$150,000.00
6325	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$25,000.00	\$25,000.00
6331	FIIN 10.25% SECURED JUNIOR NOTES DUE 12/15/2008	\$30,000.00	\$30,000.00
6336	TDM CABLE TRUST 06 10% CONTRACT CERTIFICATES DUE 11/15/10	\$20,000.00	\$20,000.00
6337	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$14,000.00	\$14,000.00
6346	TDM CABLE TRUST 06 10% CONTRACT CERTIFICATES DUE 11/15/10	\$20,000.00	\$20,000.00
6347	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$20,000.00	\$20,000.00
6401	FIIN 10.25% SECURED JUNIOR NOTES DUE 12/15/2008	\$25,000.00	\$25,000.00
6467	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$10,000.00	\$10,000.00
6468	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$50,000.00	\$50,000.00
6473	McGinn, Smith Transaction Funding Corp.	\$25,000.00	\$25,000.00
6474	TDM CABLE TRUST 06 9.25% 48 MONTHS CONTRACT CERTIFICATES 11/15/10	\$25,000.00	\$25,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
6475	TDM LUXURY CRUISE TRUST 07 CONTRACT CERTIFICATES 10% DUE 9/1/11	\$23,125.00	\$23,125.00
6477	McGinn, Smith Firstline Funding, LLC	\$10,000.00	\$10,000.00
6480	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$10,000.00	\$10,000.00
6481	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$50,000.00	\$50,000.00
6484	FAIN SECURED SENIOR SUBORDINATED NOTES	\$15,000.00	\$15,000.00
6485	FAIN SECURED SENIOR SUBORDINATED NOTES	\$70,000.00	\$70,000.00
6486	FEIN SECURED SENIOR SUBORDINATED NOTES DUE 01/30/2009	\$10,000.00	\$10,000.00
6490	TAIN SECURED SENIOR SUBORDINATED NOTES 7.75% DUE 12/15/2009	\$20,000.00	\$20,000.00
6494	FIRSTLINE TRUST 07 B JUNIOR CONTRACT CERTIFICATES 1.1% DUE 10/01/12	\$19,839.23	\$19,839.23
6495	FORTRESS TRUST 08	\$19,911.10	\$19,911.10
6496	McGinn, Smith Transaction Funding Corp.	\$25,000.00	\$25,000.00
6499	McGinn, Smith Firstline Funding, LLC	\$300,000.00	\$300,000.00
6500	McGinn, Smith Funding, LLC	\$20,000.00	\$20,000.00
6501	TDDMM BENCHMARK TRUST 09 10%	\$85,000.00	\$85,000.00
6502	TDDMM BENCHMARK TRUST 09 11%	\$145,000.00	\$145,000.00
6503	TDDMM BENCHMARK TRUST 09 9%	\$70,000.00	\$70,000.00

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Claim Number	Description of Investment or Nature of Claim	Amount of Claim on Receiver's Website	Paper Claim Amount
6504	TDDM Cable Funding LLC	\$30,200.01	\$30,200.01
6599	FAIN 10.25% SECURED JUNIOR NOTES DUE 11/15/2010	\$30,000.00	\$30,000.00
6600	FEIN 10.25% SECURED JUNIOR NOTES DUE 01/30/2009	\$45,000.00	\$45,000.00
6601	FIIN 10.25% SECURED JUNIOR NOTES DUE 12/15/2008	\$106,000.00	\$106,000.00
6602	TAIN SECURED JUNIOR NOTES DUE 12/15/2009	\$56,000.00	\$56,000.00
6800	FAIN SECURED SENIOR SUBORDINATED NOTES	\$20,000.00	\$20,000.00
6813	FAIN 10.25% SECURED JUNIOR NOTES DUE 11/15/2010	\$25,000.00	\$25,000.00