

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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**NOTICE OF FILING OF THIRTEENTH PAYMENT SCHEDULE
OF FIRST INVESTOR DISTRIBUTION**

PLEASE TAKE NOTICE that on October 13, 2017, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Thirteenth Payment Schedule of Investor Distributions, pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Investor Distributions will continue to be filed on a rolling basis with increasing frequency. The attached Payment Schedule reports the claim numbers and amount to be paid as a first distribution to the holders of the listed claim numbers, which amount has been rounded to the nearest whole dollar in accordance with Section 12 of the Plan.

Dated: October 13, 2017

PHILLIPS LYTTLE LLP

By /s/ William J. Brown
William J. Brown (Bar Roll #601330)
Attorneys for Receiver
Omni Plaza
30 South Pearl Street
Albany, New York 12207
Telephone No. (518) 472-1224

and

One Canalside
125 Main Street
Buffalo, New York 14203
Telephone No.: (716) 847-8400

Doc #01-3037018.13

McGinn Smith & Co. Inc. - Thirteenth Payment Schedule of Investor Distributions

October 13, 2017

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of First Distribution</i>
4737A	Firstline Trust 07 B Senior Contract Certificates 9.50% Due 10/01/11	\$ 57,937.45	\$ 5,794.00
5100A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 30,000.00	\$ 3,000.00
5147A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 30,000.00	\$ 3,000.00
5179A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 50,000.00	\$ 5,000.00
5180A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 20,000.00	\$ 2,000.00
5181A	TAIN Secured Junior Notes Due 12/15/2009	\$ 40,000.00	\$ 4,000.00
5182A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
5383A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 40,000.00	\$ 4,000.00
5384A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
5385A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	\$ 2,500.00
5386A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
5466A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 150,000.00	\$ 15,000.00
5467A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 50,000.00	\$ 5,000.00
5531A	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 45,000.00	\$ 4,500.00
6052P	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 145,000.00	\$ 14,500.00
6053P	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 21,000.00	\$ 2,100.00
6054P	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 98,100.00	\$ 9,810.00
6055P	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$ 89,771.00	\$ 8,977.00
6056P	Fortress Trust 08	\$ 79,644.41	\$ 7,964.00
6057P	TAIN Secured Junior Notes Due 12/15/2009	\$ 65,000.00	\$ 6,500.00
6058P	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 40,000.00	\$ 4,000.00
6059P	TDM Luxury Cruse Trust 07 Contract Certificates 10% Due 9/1/11	\$ 18,500.00	\$ 1,850.00
6060P	TDM Luxury Cruse Trust 07 Contract Certificates 10% Due 9/1/11	\$ 46,250.00	\$ 4,625.00
6061P	TDMM Benchmark Trust 09 12%	\$ 100,000.00	\$ 10,000.00
6084A	Seton Hall Mortgage Note Holders	\$ 4,315.39	\$ 432.00
6120A	TAIN Secured Junior Notes Due 12/15/2009	\$ 50,000.00	\$ 5,000.00
6516A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 10,000.00	\$ 1,000.00
6517A	TDMM Cable Sr Trust 09 9%	\$ 7,793.26	\$ 779.00