Case 1:10-cv-00457-GLS-CFH Document 969 Filed 01/03/18 12 40 1 of 19

Harold Albert Smith, Esq.

PO Box 438

LAWRENCE K, BAERMAN, CLERK ALBANY

JAN 0 3 2018

Bloomsburg, PA 17815

Phone: 570-387-9494. Fax: 570-389-9495

December 29, 2017

Dear Mr. William J. Brown, Receiver:

Thank you for your enclosed letter of December 20. First, the envelope did not have the four claims' schedule mentioned in your letter. Would you please send it?

Second, you wrote that in 2012 I made four claims, and that two were duplicates in the same amount. In fact, I made four paper claims in 2012 on the following investments:

1. Integrated Excellence Senior Trust 08 (MSA069396#2), with a principle of \$100,485

2. TDM Verifier Trust 07 (MSA069396#R9), principle: \$90,000

3. Fein Secured Senior Subordinated Notes from First Excelsior Income Notes LLC (MSA069396#30), principle: \$10,000

4. Fein Secured Senior Subordinated Notes from First Excelsior Income Notes LLC (MSA069396#77), principle: \$50,000

I am including copies of my claims and investment record. None of my four claims above are duplicates.

Third, you wrote that I was granted a claim for \$73,492.38 out of my total claim for Integrated Excellence Senior Trust 08 - \$100,485. I purchased this certificate for \$107,500 in 2008, received \$7,015, and still had an investment in it for \$100,485 as of 2009 when McGinn Smith ceased payments. This is what I meant when I wrote in my Claim Form that I claimed \$100,485 and had received \$7,015 in payments. I don't know why my claim should be only \$73,492.38.

Finally, you wrote that you do not have a record for the TDM Verifier Trust 07 (\$90,000). I am enclosing my McGinn Smith certificate for this investment as well as the National Financial Services interest statements from 2008 and 2009, which show that I made the investment. Although I requested redemption of it, I did not receive it or payments after 2009.

Yours sincerely,

Haroll St

Harold Albert Smith, Esq.

CC: Hon. Christian Hummel

William J. Brown, as Receiver of McGinn, Smith & Co., Inc., et al.

One Canalside 125 Main Street Buffalo, NY 14203

Tel: 716.847.7089 www.mcginnsmithreceiver.com

December 20, 2017

Harold Albert Smith PO Box 438 Bloomsburg, PA 17815

Re: McGinn Smith & Co. Inc. - Paper Claims

Dear Mr. Smith,

In reviewing your claim file, we have determined that, in 2012, you filed four paper claims for your investments in McGinn Smith & Co, as set forth on the enclosed schedule. Two of your paper claims are duplicates of your Receiver-granted claims in the same amounts. The Receiver has moved to expunge these duplicate claims, which motion is pending before the District Court for the Northern District of New York.

In addition, you filed a paper claim on account of your investment in Integrated Excellence Senior Trust 08 in the amount of \$100,485. However, with respect to this investment, the Receiver granted you a claim in the amount of \$73,492.38. The difference between your paper claim and your Receiver-granted claim likely is the result of payments which you received. You also filed a paper claim for your investment in TDM Verifier Trust 07 in the amount of \$90,000. However, such investment was not listed in the Receiver's books and records and the Receiver has not granted you a claim for this investment. If you filed these paper claims because you disagree with the Receiver's books and records, you certainly have the right to retain these claims, which will be resolved when the Receiver files an objection to them and the Court issues an Order. You certainly have the right to be heard. I believe, however, that the Receiver's books and records are correct.

The Receiver will need to file a claims objection with the Court to expunge these two paper claims prior to making any payment distribution to you unless you agree to withdraw these paper claims in writing. In that case, your Receiver-granted claims will be processed promptly. If you wish to withdraw the two paper claims, please send us a letter to that effect as soon as possible, but no later than January 5, 2017.

Very truly yours,

William L.Brown

Receiver

EEEhi Doc #02-369598.1

Case 1:10-cv 00457-GLS-CEHT DOCUMENTO OF MEWOYOR	Ko Dogo 2 CLAI	M LOWIT
STATES DISTRICT COURT NORTHERN DISTRICT	Case Number:	a matt
Name of Debtor: (check box next to the entity you are making a claim against):	1:10-cv-00457-0	GLS-DRH
- 11 0- CA 100 PIXI.		
McGinn, Smith & Co. Inc., et al. McGinn, Creditor (The person or other entity to whom the debtor owes money or property):		
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348 Cather 04 17815		
Blooms burn, PA 17815		
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 -	praviously filed comm.	
(820)884-1254	Claim Number: ([[known]	<u></u>
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Email Address:	Filed On:	
Name: 128/5		
Name 1/2 Biomsham	Check this box if you are	awere that envene cise
Address 1: PU BUA FISH Address 2:		
Address 3:	has filed a proof of classic Attach a copy of statement	ut Brank bertioners.
Address 5:		
(F70) (ACI4) -1 /1 2/5/91	_	
Email Address: Carefully read instructions included with this Claim Form before completing. In order to have your claim consider Carefully read instructions included with this Claim Form before completing. In order to have your claim consider original of this Claim Form must be sent to: Phillips Lytle LLP, Atm: Jourdan L. Stevenson, 3400 HSBC Center, original of this Claim Form must be sent to: Phillips Lytle LLP, Atm: Jourdan L. Stevenson, 3400 HSBC Center, original of this Claim Form must be received on or before JUNE 19, 2012 at 5:00 p.m. E.S.T.		applicable questions.
Please list total amount of claim or investment. Please check this box if claim includes amount other than investment (interest or other charges in addition to the invested). Attach an itemized statement detailing additional amounts. 2. Please provide last four digits of social security number:	10 LHR9	
and/or account number which Identifies creditor to debtor: MSAO633	1916 4118 4	
+DM Vorifier Fust 07 Due 08/15/09		
1011 VECTION		
3. Total Payments Received: \$	of investment. A separat	e claim must be fil
Please list the total amount of payments received from the		
each claim of investment and the second seco	of items such as	THIS SPACE IS FOR COURT USE ONLY
accounts, contracts, court judgments and security agreements. You may also determined and cataloging attached documents.		
THE CHED DOCUMENTS MAY BE DESTRO	OYED AFTER	
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROSCANNING. If the documents are not available, please explain.		
The person fills this view.	print name and title, if any, of	
Date 5/30/2012 the creditor of other person and agree that all of my claims will be adjedit	A GE DOMCE OF BRIGHTIES ! IT AND	
I assert this claim against the castity whose name is on the documents I am attaching. I understand an agree that the leformaction coctained herein is true and correct under penalties of perjury. Matter: I declare that the leformaction coctained herein is true and correct under penalties of perjury.		
Harris A Son Ph		
Signature January 10 (15 m) the owne		
The Title		POC08

McGinnSmith &Company.lnc.

Investment Bankers - Investment Brokers

6 Executive Park Dr. Clifton Park, NY 12065 518-348-0060 Fax 518-348-0107

August 13, 2009

Harold Albert Smith 5 Primrose Court Danville, PA 17821

Re: \$90000 TDM VERIFIER TRUST 07 Contract Certificates 8.50% due 08/15/09

In the Name of: HAROLD ALBERT SMITH

Internal Investment #: 7122

Note held by NFS:

Note held by Investor: X

NFS Account # MSA-069396

Dear Harold Albert Smith:

Your investment in TDM VERIFIER TRUST 07, 8.50% Contract Certificate is due to mature on August 15, 2009. You will receive your August 15th interest as you have in the past. You have two options with respect to the principal amount of your Contract Certificate:

- 1. You can opt to roll the principal into the new 18 month TDM Verifier Trust 2011 Contract Certificate with a maturity date of February 15, 2011 which will pay an annual rate of 9% paid quarterly; or
- 2. You can redeem the Contract Certificate and have the principal returned to you.

Please return the enclosed letter of instruction along with your original TDM Verifier Trust 07, 8.50% Contract Certificate (if the certificate is held in your NFS account return only the letter of instruction) to us no later than August 24, 2009. If you cannot locate your original certificate, please complete and return the enclosed affidavit of loss.

If you choose to roll your Contract Certificate we will issue a new certificate for the principal amount.

If you choose to redeem your Contract Certificate we will remit the principal due to you in the following manner:

- 1. If you have a brokerage account with McGinn, Smith, the proceeds will be deposited in your account;
- 2. If you do not have a brokerage account with McGinn, Smith, we will remit the proceeds in the same manner as you have been receiving your quarterly interest;
- 3. If you wish an alternative to 1 or 2 above, please enclose instructions or inform your broker;
- 4. If your investment is held by another brokerage firm we will contact them on your behalf.

Please be aware that if you choose to redeem your Contract Certificate and we do not receive your instructions and/or appropriate documentation by August 24, 2009 your Contract Certificate will automatically be rolled to the new 18 month TDM Verifier Trust 2011 Contract Certificate with a maturity date of 02/15/2011 paying an annual rate of 9%.

We wish to thank you for investing with us and we hope to be able to continue to service your investment needs. Please contact your representative should you have any questions.

Sincerely,

Timothy M. McGinn Chairman of the Board

TMM/pas

Enclosures

No. <u>R-9</u>

\$90000

TDM VERIFIER TRUST 07

Albany, New York
Contract Certificate
8.50% Due August 15, 2009

Registered Holder: HAROLD ALBERT SMITH

TDM VERIFIER TRUST 07. A NEW YORK TRUST (THE "TRUST"), FOR VALUE RECEIVED, HEREBY PROMISES TO PAY TO THE CERTIFICATEHOLDER, or assign(s), the Principal Amount of Ninety Thousand Dollars (\$90000) in such coin or currency of the United States of America as at the time of payment shall be legal tender for public and private debts, together with interest accrued thereon at the rate of 8.50% per annum in the following manner: Interest on the Certificates at the aforesaid rate will be paid in quarterly installments on the fifteenth (15) day of May, 2008 and on the fifteenth (15) day of each subsequent quarter thereafter, to and including the fifteenth day of August, 2009.

THIS CERTIFICATE IS ISSUED pursuant and subject to the Declaration of Trust dated as of January 18, 2007 (as amended from time to time, the "Declaration") and the Memorandum dated as of February 23, 2007, and the holder of this Certificate is entitled to all of the benefits thereof. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

INTEREST shall be payable by check mailed from the office of the Trustee to the Certificateholder stated above, or assign(s), at the address as it appears on the Certificate Register maintained by the Trustee as of the close of the first business day of the month.

THIS CERTIFICATE HAS NOT BEEN REGISTERED or qualified under the Federal Securities Act of 1933 or applicable state securities laws and may not be sold or transferred without such registration or qualification or an exemption therefrom.

THE TRUST MAY, as a condition of payment in full of the principal of and interest of this Certificate, require the Certificateholder to surrender this Certificate. All amounts payable under this Certificate shall be payable without presentment or demand for payment, notice of nonpayment, protest or further notice or demand of any kind, all of which are expressly waived by the Company. This Certificate shall be construed in accordance with and be governed by the laws of the State of New York.

IN WITNESS WHEREOF, TDM VERIFIER TRUST 07 has caused this Certificate to be signed in its name by its trustee thereunto duly authorized, and to be dated as of the date written below.

DATE: 3/17/2008

TDM VERIFIER TRUST 07

By: MCGINN, SMITH CAPITAL HOLDINGS CORP.,

not in its individual capacity, but solely as Trustee under the Declaration of Trust dated

as of January 18, 2007.

David L. Smith, President

Case 1.10-cv-00457-GLS-CFH Document 969 Filed 01/03/18 Page 7 of 19100 00 (518) 449-5131

McGmn, Smith & Co., Inc.

Investment Bankers - Investment Brokers

TDM Verifier Trust 07" Contract Certificate

YOU BOUGHT

YOU SOLD

8.5% due 8/15/09

90 000

PRINCIPAL

INTEREST

\$90,000.00

Harold Albert Smith 5 Primrose Court

COMMISSION

Danville, PA 17821-Make check payable/wire funds to: "TDM Verifier Trust 07"

Amount Due	Trade Date	Settle Date
\$90,000.00	3/6/2008	3/11/200

Reg Rep 690

Account No. MSA069396 Pil Distribution

Deposit to National Financial Account

P不可能等的存储的 TRANSTER OF State, ZIP code, and telephone not 99 PINE STREET	RECTED (if checked) D. Payer's RTN (optional)	OMB No. 1545-0112	
5TH FLOOR Albany, NY 12207	1 Interest income 5036.25	2008	Interest Income
(518) 449-5131 x232	2 Early withdrawal penalty	Form 1099-INT	
PAYED'S Education description number RECIPIENT'S identification number 91.64	3 Interest on U.S. Savings	Bonds and Treas, obligation	Copy B
RECIPIENTS name, address, city and ZIP code Harold Albert Smith 5 Primitose Court Danville, PA 17821	4: Federal income tax with:	neld 5 Investment expenses	This is important tax information and is being furnished to the
	6 Foreign tax paid	7 Foreign country or U possession	Service. If you are required to file a return, a negligence penalty or
Account number (see instructions)	8 Tax-exempt interest	9 Specified private acti bond interest	
	\$	\$	it has not been reported.

	RECTED (if checked)	· · · · · · · · · · · · · · · · · · ·	ted and Reissued *
PAYER'S name, street address, city, state, ZIP code, and telephone no. First Excelsior Income Notes 99 Pine Street 5th Floor Albany, NY 12207	Payer's RTN (optional) 1 Interest income \$ 3487.50 2 Early withdrawal penalty	7	Interest Income
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6650 9164	<u>\$</u>		For Recipient
RECIPIENT'S name, address, city and ZIP code	4 Federal income tax withhel	d 5 kiyvestment expenses	This is important tax information and is
Harold Albert Smith 5 Primrose Court	\$	\$	being furnished to the Internal Revenue
Danville, PA 17821	6 Foreign tax paid \$	7 Foreign country or possession	U.S. Service. If you are required to file a return, a negligence penalty or
	8 Tax-exempt interest	9 Specified private ad bond interest	other sanction may be imposed on you if this income is taxable and
Account number (see instructions)	\$	\$	the IRS determines that it has not been reported.

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8376	9164	\$				For Recipient
RECIPIENT'S name, address, city and ZIP code HAROLD ALBERT SMITH 5 PRIMROSE COURT	***************************************	\$	Federal income tax withheld	5 Investment expense	5	This is important tax information and is being furnished to the Internal Revenue
DANVILLE, PA 17821		6 \$	Foreign tax paid	7 Foreign country or possession	U.\$.	Service. If you are required to file a return, a negligence penalty or
		8	Tax-exempt interest	9 Specified private a bond interest	ctivity	other sanction may be imposed on you if this income is taxable and the IRS determines that
Account number (see instructions)		\$		\$		it has not been reported.
Form 1099-INT	(keep	for	your records)	Department of the 1	reasury	- Internal Revenue Service

Smith, Harold Albert

Financial Products Register

May 4, 2009

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8.5% 18 mo.		\$90,000.00 05/04/09	03/17/08 08/15/09	MSA069396 #R-9	TDM Verifier Trust 07R Non-Qualified	McGinn Smith (Harold Albert Smith)
3% - 10/30/10-8/30/13 6% - 10/30/13-8/3020 Int. & principal amortization		\$10,000.00 05/04/09		MSA-069396 #30	FEIN Non-Qualified	McGinn Smith (Harold Albert Smith)
3% - 10/30/10-8/30/13 6% - 10/30/13-8/3020 Int & principal amortization		\$50,000.00 05/04/09		MSA-069396 #77	FEIN Non-Qualified	McGinn Smith (Harold Albert Smith)
	n/a	\$22,698.00 05/04/09	05/20/04	MSA-069396	Misc. Non-Qualified	National Financial Services (Harold Albert Smith)
Annuitant & . Comments	Beneficiary	Contract Value as of (date)	Issue Date (DSC/Maturity)	Contract Number	Product & Market	Company Name (Contract Owner)

This register is for your reference only. It is not a contract. The values stated are as of the date indicated and may not reflect the current value of your investment. For exact values, please refer to the related company statements.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW	Case Number:
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AcGinn, Smith & Co. 1110.; of the person or other entity to whom the debtor owes money or property):	
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5To Con 17815	
Blanns burg, PAT 1701	
348 Catherine 31. Bloomsburg, PA 17815	Check box to indicate that this claim amends a
	proviously filed claim.
my (51710) 854-1254	Claim Number: (If known)
TEL: (STADILE BIT GONSKIC amail.com	
	Filed On:
Name and address where payment should be sent (if different from above): Name: Harold Heert Smith Name: Harold Box 438 Blaonsburg, PA 17813	
Address 1: PO BOX 438 Blooms burg, Pri	Check this box if you are aware that anyone of
Address 3:	has filed a proof of claim relating to your dain Attach a copy of statement giving particulars.
Address 4:	Altana a vy
Address 5: (5220) 854-1/254	
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Email Address: Yako VSKI, Earnall. Corrections included with this Claim Form before completing. In order to have your claim of Carefully read instructions included with this Claim Form before completing. In order to have your claim original of this Claim Form must be sent to: Phillips Lytle LLP, Atm: Jourdan L. Stevenson, 3400 HSBC Coriginal of this Claim Form must be sent to: Phillips Lytle LLP, Atm: Jourdan L. Stevenson, 3400 HSBC Coriginal of this Claim Form must be received on or before JUNE 19, 2012 at 5:00 p.m. E.S.T.	onsidered for payment, complete ALL applicable question
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Please list total amount of claim or investment. Please check this box if claim includes amount other than investment (interest or other charges in additional amounts. 2. Please provide last four digits of social security number: and/or account number which identifies creditor to debtor: Fein Secured Senior Subording Red No Res Digital Security and Please list the total amount of payments received from the MS Entity during the peach claim or investment held. 4. Documentation. Please attach all evidence which supports your claim. Please include concelled checks, brokerage statements, promissory notes, purchase orders, invoices, itemize accounts, contracts, count judgments and security agreements. You may also attach a summand cataloging attached documents. DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESCANNING. If the documents are not available, please explain. Signature: The person filing this claim must sign it. Signature: The person filing this claim must sign it. Signature: The person filing this claim must sign it. Signature: The person filing this claim must sign it. Signature: The person filing this claim must sign it. Signature: The person filing this claim must sign it. Signature: The person filing this claim for the person guithorized to file this claim.	eriod of investment. A separate claim must be opies of items such as red statements of running nary describing your claim ESTROYED AFTER Ign and print name and title, if any, of and state address and telephone In and state address and telephone In the state address and telephon
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\$10000

Note # 30

FIRST EXCELSIOR INCOME NOTES LLC
7.75% Secured Senior Subordinated Note Due 2009
Interest Payment Dates: April 30, July 30, October 30 and January 30
Record Dates: April 20, July 20, October 20 and January 20

First Excelsior Income Notes LLC promises to pay to <u>Harold Albert Smith</u>, or registered assigns, the sum of <u>Ten Thousand Dollars</u> on January 30, 2009.

This Note is subordinated as specified on the other side of this Note. See the reverse and the Indenture referenced for additional provisions of this Note.

Dated: February 2, 2004

McGinn, SMITH CAPITAL HOLDINGS CORP.

as Trustee

Name: David L. Smith

Title: President

Case 1:10-cv-00457-GLS-Contel capto cume ros 960 strailed 01/03/18, Page 13 of 19 McGinn, Smith & Co., Inc. (518) 449-5131 Price Investment Bankers - Investment Brokers YOU BOUGHT 100

YOU SOLD 10,000 PRINCIPAL INTEREST

COMMISSION \$10,000.00

Harold Albert Smith

5 Primrose Court Danville, PA 17821DESCRIPTION:

FIRST EXCELSIOR INCOME NOTES, LLC

7.75% Secured Senior Subordinated Notes Due 01/30/2009

Amount Due	Trade Date	Settle Date
\$10,000.00	1/30/2007	2/5/2007
ID No.	Reg Re	P
9164	690	 ļ

Account No. P/I Distribution: MSA069396 Deposit to Account

WE CHECK PAYABLEMIRE FUNDS TO: "First Excelsior Income Notes, LLC"

First Excelsior Income Notes LLC promises to pay to Harold Albert Smith, or registered assigns, the sum of Ten Thousand Dollars on January 30, 2009.

This Note is subordinated as specified on the other side of this Note. See the reverse and the Indenture referenced for additional provisions of this Note.

Dated: February 2, 2004

McGINN, SMITH CAPITAL HOLDINGS CORP.

as Trustee

Name: David L. Smith

Title: President

Case 1:10-cv-00457-GLS-CFH Document 969 Filed 01/03/18 Page 14 of 19

	VOTE OF NEW YORK	(LAIM FORM
ONITED STATES DISTRICT COURT NORTHERN DISTRI	OCT OF MEN 10191	nber.	
me of Debtor (check box next to the entity you are making a claim against).	clainse	:10-cy-00	457-GLS-DRH
Cinn Smith & Co. Inc., et al.	orcoale		
- sales entity to whom the debtor owes money or prop-	for 1st Excelsion		
Harold Albert Smith	Fein notes		
o and address where notices should be sent:			
348 Catherine St	\$ 50,000		
Bloomsburg PA 17815		·	
		sk box to indica	te that this claim amonds a
		tously filed clai	•
TEL: (5 70) 854 - 1254	i	Claim Nu (If known)	mber:
Emil Address: ratherstip amail. Con	<u> </u>	Filed On:	
me and address where payment should be sent (if different from above):			
Name: The Plane Church	7 17815		
Address 1: PO BOX 4.28 B/10078322213			you are aware that anyone class foliain relating to your claims.
Address 3:		Attach a copy of a	tatement giving perticulars.
Address 5:			
TEL: (5/70) 854-1/2514	n		
- "		r payment, complete	ALL applicable questions
Email Address: A TO V S T I C A MA I I C D arefully read instructions included with this Claim Form before completing. In orderiginal of this Claim Form must be sent to: Phillips Lytle LLP, Atm: Jourdan L. Strocessed, it must be received on or before JUNE 19, 2012 at 5:00 p.m. E.S.T.	evenson, 3400 HSBC Center, Butt	BIO, NEW YORK THE	
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Please check this box if claim includes antibult of the additional amounts. Invested). Attach an itemized statement detailing additional amounts.			
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and/or account number which identifies creditor to debtor:	17 4 0 P 1 3 P	0. 01/3	0/09
FEIN Secured Senior Subordinate	1 10 tes	7	- ,
3. Total Payments Received:			
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Please list the total amount of payments received from the MS E			
each claim of hivesunous north		an much as	THIS SPACE IS FO COURT USE ONL
4. Documentation. Please attach all evidence which supports your claim cancelled checks, brokerage statements, promissory notes, purchase ord cancelled checks.	ers, invoices, itemized statement	oing your claim	
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Date number if different from the of number if different from the of leasert this claim against the entity whose name is on the documents I am attaching. I underpland and agriculture is the information contained herein is true and correct under penalties of perjury.		4 - •	
meetier. 1 declare that the trucking section 10 1			,
	•		

\$50,000.00

Note # 81

FIRST EXCELSIOR INCOME NOTES LLC

7.5% Secured Senior Subordinated Note Due 2007

Interest Payment Dates: April 30, July 30, October 30 and January 30

Record Dates: April 20, July 20, October 20 and January 20

First Excelsion Income Notes LLC promises to pay to Harold Albert Smith, or registered assigns, the sum of Fifty Thousand Dollars on January 30, 2007.

This Note is subordinated as specified on the other side of this Note. See the reverse and the Indenture referenced for additional provisions of this Note.

Dated, February 2, 2004

McGINN, SMITH CAPITAL HOLDINGS CORP.

as Trustee

Name. David L. Smith

Title: President

MCGINN, SMITH & CO., INC.

YOU BOUGHT	YOU SOLD
50.000	

ONE CAPITAL CENTER 99 PINE STREET
ALBANT NEW YORK 12207
(514) 449 5131

DESCRIPTION:

FIRST EXCELSIOR INCOME NOTES, LLC 7.5% Secured Seasor Subordinated Notes due 01/30/07

	PRICE	
ĺ_		
	100	
	100	

PRIN	CIPAL	INTEREST	COMMISSION
\$	50,000.00		

HAROLD ALBERT SMITH 5 PRIMROSE COURT DANVILLE, PA 17821

AMOUNT DUE	TRADE DATE	SETTLE DATE
\$50,000.00	5/14/2004	5/19/2004
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9164	690	-

NEW ACCOUNT

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK	Case Number:
Name of Debtor: (check box next to the entity you are making a claim against):	1:10-cv-00457-GLS-DRH
fcGinn, Smith & Co. Inc., et al.	
ame of Creditor (The person or other entity to whom the debtor owes money or property): Harold Albert Smith	
to and address where notices should be sont:	_
Dug Catherine St.	
Bloomsburg, PA 17815	
	Check box to indicate that this claim amends a previously filed claim.
TEL: (570) 854 - 1254	Claim Number:
Email Address: rakovskii egmail.com	(If known)
and address where navment should be sent (if different from above):	Filed On:
Name: Harchard Albert Snith	
Name: Harold Hills Rooms burg, PA 17615 Address 1: PO Box 438 Rlooms burg, PA 17615 Address 2:	Check this box if you are aware that anyone els
Address 3:	nas filed a proof of claim rotating to your claim. Attach a copy of statement giving particulars.
Address 4: Address 5:	Without a cob) or statement & to be a second
TEL (570) PS4-1254	
Email Address: Varaus Elica Porm before completing. In order to have your claim consider arefully read instructions included with this Claim Porm before completing. In order to have your claim consider the property of the LLP Attn: Jourdan L. Stevenson, 3400 HSBC Center	
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No. 2

\$107500

INTEGRATED EXCELLENCE SR. TRUST 08

Albany, New York
Contract Certificate
9.00% Due June 1, 2013

Registered Certificateholder: HAROLD ALBERT SMITH

INTEGRATED EXCELLENCE SR. TRUST 08, A NEW YORK TRUST (THE "TRUST"), FOR VALUE RECEIVED, HEREBY PROMISES TO PAY TO THE CERTIFICATEHOLDER, or assign(s), the Principal Amount of One Hundred Seven Thousand Five Hundred Dollars (\$107500) in such coin or currency of the United States of America as at the time of payment shall be legal tender for public and private debts, together with interest accrued thereon at the rate of 9.0% per annum in the following manner: Interest on the Certificates at the aforesaid rate will be paid in three (3) consecutive monthly installments commencing on the first (1st) day of July 2008 and principal and interest will be paid in fifty-seven (57) consecutive monthly installments commencing on October 1, 2008 through and including June 1, 2013.

THIS CERTIFICATE IS ISSUED pursuant and subject to the Declaration of Trust dated as of May 27, 2008 (as amended from time to time, the "Declaration") and the Memorandum dated as of May 30, 2008, and the holder of this Certificate is entitled to all of the benefits thereof. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

INTEREST shall be payable by check mailed from the office of the Trustee to the Certificateholder stated above, or assign(s), at the address as it appears on the Certificate Register maintained by the Trustee as of the close of the fifth business day prior to the end of each calendar quarter.

THIS CERTIFICATE HAS NOT BEEN REGISTERED or qualified under the Federal Securities Act of 1933, as amended, or applicable state securities laws and may not be sold or transferred without such registration or qualification or an exemption therefrom.

THE TRUST MAY, as a condition of payment in full of the principal of and interest of this Certificate, require the Certificateholder to surrender this Certificate. All amounts payable under this Certificate shall be payable without presentment or demand for payment, notice of nonpayment, protest or further notice or demand of any kind, all of which are expressly waived. This Certificate shall be construed in accordance with and be governed by the laws of the State of New York.

IN WITNESS WHEREOF, INTEGRATED EXCELLENCE SR TRUST 08 has caused this Certificate to be signed in its name by its trustee thereunto duly authorized, and to be dated as of the date written below.

DATE: 6/9/2008

Integrated Excellence Sr. Trust 08
By: MCGINN, SMITH CAPITAL HOLDINGS CORP.
not in its individual capacity, but solely as
Trustee under the Declaration of Trust dated

as of May 27, 2008.

David L. Smith, President

One Capital Center - 99 Pine Street Albany, NY 12207

(518) 449-5131

Integrated Excellence Sr Trust 08

Contract Certificates 9% due 6/1/13

Price 100 09

PRINCIPAL

Smith & Co., Inc.

ankers - Investment Brokers

YOU SOLD

COMMISSION

\$107,500.00

Harold Albert Smith

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5 Primrose Coun Danville, PA 17821-

INTEREST

Trade Date Amount Due 6/3/2008 \$107,500.00

ID No

Reg Rep

690

9164

Account No. MSA069396

P/I Distribution Deposit to National

Financial Account

Make check payable/wire funds to: "Mercantile Bank Escrow Agent for Integrated Excellence Sr Trust 08"

Case 1:10-cv-00457-GLS-CFH 8606ms bmg, 14 17815 SRIZ



U.S. DISTRICT N.D. OF I RECE

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U.S. POSTAGE LOOMSBURG, PA

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Room 441, James Falet Courthouse
445Broadway
Albany, NY 12207

FRENCE K BAFRIMAN, CLERK
HABBANY Christian Hummel

USPS TRACKING NUMBER