

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 SECOND PAYMENT SCHEDULE  
OF SECOND INVESTOR DISTRIBUTION  
(Collateral Recovery Investors)**

PLEASE TAKE NOTICE that on October 2, 2020, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Second Payment Schedule of Second Investor Distribution (Collateral Recovery Investors), pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Second Investor Distributions (Collateral Recovery Investors) will continue to be filed on a rolling basis. The attached Payment Schedule reports the claim numbers and amount to be paid as a second 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 2, 2020

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
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Doc #9154014.2

**McGinn Smith & Co. Inc. - Second Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)**

**October 2, 2020**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
4162A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 8,276.78	<i>See amount below</i>
4163A	FEIN Secured Senior Notes	\$ 41,397.91	<i>See amount below</i>
4164A	TAIN Secured Senior Notes	\$ 54,559.72	<i>See amount below</i>
4165A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 60,000.00	\$15,697.44
4205A	TDM Verifier Trust 08R Contract Certificate 9%	\$ 55,000.00	<i>See amount below</i>
4206A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	<i>See amount below</i>
4207A	Firstline Trust 07 9.25% Senior Contract Certificates Due 09/01/10	\$ 30,969.26	<i>See amount below</i>
4208A	TDM Verifier Trust 07R Contract Certificates	\$ 50,000.00	<i>See amount below</i>
4209A	TDMM Cable Sr. Trust 09 9%	\$ 15,586.52	\$14,552.92
4238A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
4239A	FAIN Secured Senior Notes	\$ 18,399.07	<i>See amount below</i>
4240A	FEIN Secured Senior Notes	\$ 22,998.83	\$ 5,917.56
4245A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 35,000.00	<i>See amount below</i>
4246A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 55,000.00	\$ 7,935.69
4292A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 20,691.95	<i>See amount below</i>
4293A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 45,000.00	<i>See amount below</i>
4294A	TDM Verifier Trust 08 Contract Certificate 36	\$ 30,000.00	<i>See amount below</i>
4296A	FAIN Secured Senior Subordinated Notes	\$ 10,000.00	<i>See amount below</i>
4297A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 01/01/11	\$ 8,276.78	<i>See amount below</i>
4298A	Integrated Excellence Sr. Trust 08	\$ 6,836.50	<i>See amount below</i>

\* If the Amount of Second Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when final distributions are made.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
4299A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 80,000.00	<i>See amount below</i>
4300A	TDM Verifier Trust 07R Contract Certificates	\$ 10,000.00	<i>See amount below</i>
4301A	FAIN Secured Senior Notes	\$ 9,199.54	<i>See amount below</i>
4302A	TAIN Secured Senior Notes	\$ 77,292.93	<i>See amount below</i>
4295A	TAIN Secured Senior Notes	\$ 45,466.43	\$31,459.04
4325A	FAIN Secured Senior Notes	\$ 13,799.30	<i>(See amount below)</i>
4326A	FAIN Secured Senior Subordinated Notes	\$ 15,000.00	<i>(See amount below)</i>
4327A	FAIN Secured Senior Subordinated Notes	\$ 50,000.00	<i>(See amount below)</i>
4328A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$105,000.00	<i>(See amount below)</i>
4329A	FIIN Secured Senior Notes	\$ 22,733.21	<i>(See amount below)</i>
4330A	FIIN Secured Senior Notes	\$ 45,466.43	<i>(See amount below)</i>
4331A	FIIN Secured Senior Notes	\$ 45,466.43	<i>(See amount below)</i>
4332A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 15,000.00	<i>(See amount below)</i>
4333A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 30,000.00	<i>(See amount below)</i>
4334A	Integrated Excellence Sr. Trust 08	\$ 6,836.50	<i>(See amount below)</i>
4335A	TDM Verifier Trust 09 10% Contract Certificates Due 12/31/11	\$ 9,023.75	<i>(See amount below)</i>
4336A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 9,539.85	<i>(See amount below)</i>
4337A	FAIN Secured Senior Notes	\$ 32,198.37	\$33,215.63
4324A	TAIN Secured Senior Notes	\$ 50,013.07	\$ 2,862.84

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\* If the Amount of Second Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when final distributions are made.