

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

PLEASE TAKE NOTICE that on January 8, 2021, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Sixteenth 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: January 8, 2021

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
William J. Brown (Bar Roll #601330)  
Catherine N. Eisenhut (Bar Roll #520849)  
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Doc #9154014.17

## McGinn Smith &amp; Co. Inc. - Sixteenth Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)

January 8, 2020

	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$20,000.00	(See amount below)
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$9,000.00	(See amount below)
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$21,000.00	(See amount below)
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$8,000.00	(See amount below)
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$10,000.00	(See amount below)
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$63,000.00	(See amount below)
	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$3,000.00	(See amount below)
	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$18,000.00	(See amount below)
	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$22,000.00	(See amount below)
	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$25,000.00	(See amount below)
	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$72,000.00	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$8,977.10	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$8,977.10	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$17,954.20	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$31,419.85	(See amount below)
	Integrated Excellence Jr Trust 08	\$19,317.92	(See amount below)
	Integrated Excellence Jr Trust 08	\$19,317.92	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$15,000.00	(See amount below)

\* 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>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
	TAIN Secured Junior Notes Due 12/15/2009	\$15,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$130,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$10,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$35,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$40,000.00	(See amount below)
	Seton Hall Mortgage Note Holders	\$4,315.39	\$51,576.86
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$25,000.00	(See amount below)
	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$20,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$10,000.00	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$8,977.10	\$1,526.41
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$25,000.00	(See amount below)
	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$20,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$10,000.00	(See amount below)
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$8,977.10	\$1,526.41
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$25,000.00	(See amount below)
	Integrated Excellence Jr Trust 08	\$9,658.96	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$5,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$10,000.00	(See amount below)

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	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
	TAIN Secured Junior Notes Due 12/15/2009	\$11,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$25,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$50,000.00	(See amount below)
	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$20,000.00	(See amount below)
	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$20,000.00	(See amount below)
	TDM Luxury Cruise Trust 07 Contract Certificates 10% Due 9/1/11	\$9,250.00	\$10,755.62
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$0.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$10,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$10,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$11,000.00	(See amount below)
	TAIN Secured Junior Notes Due 12/15/2009	\$34,000.00	(See amount below)
	TDM Cable Trust 06 10% Contract Certificates Due 11/15/10	\$20,000.00	(See amount below)
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$20,000.00	\$5,735.94
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 40,000.00	\$ 500.00
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 30,000.00	See Amount Below
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 40,000.00	See Amount Below
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 25,000.00	See Amount Below
	FAIN Secured Senior Subordinated Notes	\$ 25,000.00	See Amount Below
	TAIN Secured Junior Notes Due 12/15/2009	\$155,000.00	See Amount Below
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 10,000.00	See Amount Below
	TDM Cable Trust 06 9.25% 48 Months Contract Certificates 11/15/10	\$ 50,000.00	See Amount Below

\* 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>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 21,000.00	<i>See Amount Below</i>
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$275,000.00	<i>See Amount Below</i>
	TAIN Secured Junior Notes Due 12/15/2009	\$ 55,000.00	\$47,200.00
	FAIN 10.25 Secured Junior Nots Due 11/15/2010	\$ 27,000.00	<i>See amount below</i>
	Firstline Trust 07 11% Junior Contract Certificates Due 05/01/12	\$ 44,885.50	<i>See amount below</i>
	TAIN Secured Junior Notes Due 12/15/2009	\$100,000.00	<i>See amount below</i>
	FAIN Secured Senior Notes	\$ 22,998.83	\$18,336.00
	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 10,000.00	<i>See amount below</i>
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 15,000.00	<i>See amount below</i>
	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 30,000.00	<i>See amount below</i>
	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 19,839.22	\$8,698.00

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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.