

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



ELECTRONIC NOTICE OF CIVIL APPEAL & CLERK'S CERTIFICATION

Dear Clerk of the Court,

Please take notice that on October 11, 2011 the Court received a Notice of Appeal. This notice serves to inform you of the pending appeal and provides you with the information needed to process the appeal.

I, LAWRENCE K. BAERMAN, CLERK, U.S. District Court for the Northern District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below, are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the below listed action.

The following documents *are not* available electronically in the Albany Clerk's Office. Please notify our office if you need any of the following documents:

Docket No.(s): 193, 246, 369, 401

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Albany, New York, this 12th day of October, 2011.

Lawrence K. Baerman, Clerk
U.S. District Court

By: s/Maria A. Blunt
Deputy Clerk

Case Information

Case Name & Case No. SEC v. McGinn, Smith & Co., Inc., et al; 1:10-cv-0457-GLS-DRH
Docket No. of Appeal: 400
Document Appealed: 397

Fee Status: Paid X Due ___ Waived (IFP/CJA)___
IFP revoked ___ Application Attached ___ IFP pending before USDJ ___

Counsel: Retained X Pro Se ___

Time Status: Timely X Untimely ___

Motion for Extension of Time: Granted ___ Denied ___

Certificate of Appealability: Granted ___ Denied ___ N/A X

State Court Papers are being sent by UPS as of: N/A