

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

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,
LYNN A. SMITH, GEOFFREY R. SMITH, Trustee
of the David L. and Lynn A. Smith Irrevocable Trust
U/A 8/04/04, GEOFFREY R. SMITH, LAUREN
T. SMITH, and NANCY McGINN,

**Case No.: 1:10-CV-457
(GLS/DRH)**

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,
and **US ATTORNEY'S OFFICE FOR NDNY**

Intervenors.

CERTIFICATE OF SERVICE

I, hereby certify that on APRIL 24, 2015, I filed a NOTICE OF APPEAL from the Memorandum-Decision and Order of the Honorable Gary L. Sharpe, dated March 30, 2015 by means of the Court's CM/ECF system, on the following individuals:

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and sent a copy of said Notice of Appeal by regular mail to:

Nancy McGinn
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Dated: Albany, New York
April 23, 2015

Linnan & Fallon, LLP
By /s/ James D. Linnan
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