

NEW YORK MORTGAGE TRUST INC

Form 4

January 04, 2011

**FORM 4**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

OMB Number: 3235-0287

Expires: January 31, 2005

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,  
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section  
30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Harvest Capital Strategies LLC

2. Issuer Name and Ticker or Trading Symbol

NEW YORK MORTGAGE TRUST  
INC [NYMT]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

600 MONTGOMERY  
STREET, SUITE 20003. Date of Earliest Transaction  
(Month/Day/Year)  
12/31/2010\_\_\_\_ Director \_\_\_\_X\_\_\_\_ 10% Owner  
\_\_\_\_ Officer (give title below) \_\_\_\_ Other (specify below)

(Street)

4. If Amendment, Date Original  
Filed(Month/Day/Year)6. Individual or Joint/Group Filing(Check Applicable Line)  
\_\_\_\_X\_\_\_\_ Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

SAN FRANCISCO, CA 94111

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
				(A) or (D)	Price		
				Code	V	Amount	

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative	2. Conversion	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if	4. Transaction	5. Number of Derivative	6. Date Exercisable and Expiration Date	7. Title and Amount of Underlying Security
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Security (Instr. 3)	or Exercise Price of Derivative Security	any (Month/Day/Year)	Code (Instr. 8)	Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	(Month/Day/Year)		(Instr. 3 and 4)			
			Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amo Num Shar
Series A Cumulative Redeemable Convertible Preferred Stock	\$ 8	12/31/2010	<u>J<sup>(1)</sup></u>		500,000		12/31/2010	12/31/2010	Common Stock	1,2
Series A Cumulative Redeemable Convertible Preferred Stock	\$ 8	12/31/2010	<u>J<sup>(1)</sup></u>		181,100		12/31/2010	12/31/2010	Common Stock	45
Series A Cumulative Redeemable Convertible Preferred Stock	\$ 8	12/31/2010	<u>J<sup>(1)</sup></u>		31,400		12/31/2010	12/31/2010	Common Stock	78
Series A Cumulative Redeemable Convertible Preferred Stock	\$ 8	12/31/2010	<u>J<sup>(1)</sup></u>		28,800		12/31/2010	12/31/2010	Common Stock	72
Series A Cumulative Redeemable Convertible Preferred Stock	\$ 8	12/31/2010	<u>J<sup>(1)</sup></u>		8,700		12/31/2010	12/31/2010	Common Stock	2

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Harvest Capital Strategies LLC 600 MONTGOMERY STREET SUITE 2000		X		

SAN FRANCISCO, CA 94111

## Signatures

Janet L. Tarkoff, Chief Legal  
Officer

01/04/2011

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The Series A Cumulative Redeemable Convertible Preferred Stock was mandatorily redeemed by the Company on December 31, 2010 in the amount of \$20 per share.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.  
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