

NEW YORK MORTGAGE TRUST INC  
 Form 4  
 September 07, 2010

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

OMB APPROVAL

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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 2000  
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)  
 09/03/2010

\_\_\_\_ Director  
 \_\_\_\_ Officer (give title below)  
 10% Owner  
 \_\_\_\_ Other (specify below)

SAN FRANCISCO, CA 94111

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

(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 Indirect Beneficial Ownership (Instr. 4)	
				(A) or (D)	Price			
				Code V	Amount			
Common Stock	09/07/2010		P	A	\$ 1,390	81,000	I	See Footnote 1 <sup>(1)</sup>
Common Stock	09/03/2010		P	A	\$ 900	79,610	I	See Footnote 1 <sup>(1)</sup>
Common Stock						10,952 <sup>(2)</sup>	I	By Harvest Mortgage Opportunity Partners, L.P. <sup>(3)</sup>

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 Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned (Instr. 6)
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Harvest Capital Strategies LLC 600 MONTGOMERY STREET SUITE 2000 SAN FRANCISCO, CA 94111		X		

## Signatures

/s/ Janet L Tarkoff, Chief Legal Officer  
09/07/2010  
\*\*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).
- The Reporting Person has investment control over these securities pursuant to an Investment Management Agreement with JMP Securities LLC, the beneficial owner of such securities. This report shall not be an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purposes.
- (1) Harvest Mortgage Opportunity Partners, L.P. acquired 21,903 shares of common stock in the open market and subsequently, on May 27, 2008 the Issuer effected a one-for-two reverse stock split of its Common Stock.
  - (2) The Reporting Person has investment control over these securities as investment advisor to this entity, but disclaims beneficial ownership of these securities and this report shall not be an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purposes.
  - (3)

## Edgar Filing: NEW YORK MORTGAGE TRUST INC - Form 4

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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