

NEW YORK MORTGAGE TRUST INC  
 Form 4  
 October 15, 2010

**FORM 4**

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

OMB APPROVAL

OMB Number: 3235-0287  
 Expires: January 31, 2005  
 Estimated average burden hours per response... 0.5

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)  
 10/13/2010

\_\_\_\_ Director  
 \_\_\_\_ Officer (give title below)  
 \_\_\_X\_\_\_ 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)  
 \_\_\_X\_\_\_ 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                    | 10/15/2010                           |  | P                              |   | 5,000   | A  | \$ 6.29   | 197,619               | I | See Footnote 1 <sup>(1)</sup>                  |
| Common Stock                    | 10/14/2010                           |  | P                              |   | 13,600  | A  | \$ 6.3  | 192,619               | I | See Footnote 1 <sup>(1)</sup>                  |
| Common Stock                    | 10/13/2010                           |  | P                              |   | 4,919   | A  | \$ 6.3  | 179,019               | I | See Footnote 1 <sup>(1)</sup>                  |
| Common Stock                    |                                      |  |                                |   |   |  |   | 10,952 <sup>(2)</sup> | I | By Harvest Mortgage Opportunity Partners, L.P. |

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

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

SEC 1474  
(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) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|

## Reporting Owners

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

## Signatures

Janet L Tarkoff, Chief Legal Officer  
10/15/2010

\*\*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.
- (2)

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

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.

- The Reporting Person has investment control over these securities as investment advisor to this entity, but disclaims beneficial ownership
- (3) 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.

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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