

NEW YORK MORTGAGE TRUST INC  
 Form 4  
 October 12, 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)  
 10/07/2010

\_\_\_\_ 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) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
|                                 |                                      |  | Code                           | V   | Amount  | (A) or (D)   | Price   |
| Common Stock                    | 10/12/2010                           |  | P                              |   | 4,000   | A  | \$ 6.28   |
| Common Stock                    | 10/11/2010                           |  | P                              |   | 800   | A  | \$ 6.49   |
| Common Stock                    | 10/08/2010                           |  | P                              |   | 77,800  | A  | \$ 6.49   |
| Common Stock                    | 10/07/2010                           |  | P                              |   | 9,000   | A  | \$ 6.41   |
| Common Stock                    |                                      |  |                                |   |   |  | 10,952 <sup>(2)</sup>                                 |
|                                 |                                      |  |                                |   |   | I  | See Footnote 1 <sup>(1)</sup>                         |
|                                 |                                      |  |                                |   |   | I  | See Footnote 1 <sup>(1)</sup>                         |
|                                 |                                      |  |                                |   |   | I  | See Footnote 1 <sup>(1)</sup>                         |
|                                 |                                      |  |                                |   |   | I  | See Footnote 1 <sup>(1)</sup>                         |
|                                 |                                      |  |                                |   |   | I  | By Harvest Mortgage                                   |



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

owner for purposes of Section 16 or any other purposes.

- (2) 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 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.

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