

NEW YORK MORTGAGE TRUST INC  
 Form 4  
 January 04, 2011

**FORM 4**

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

OMB APPROVAL

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**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)

3. Date of Earliest Transaction (Month/Day/Year)  
 12/31/2010

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

600 MONTGOMERY STREET, SUITE 2000

(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 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)  | Code  | V  | Amount                            | (D) | Price |

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 | 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 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) | (Month/Day/Year) | (Instr. 3 and 4) |                 |              |                    |
|--|--|----------------------|------------------|---|------------------|------------------|------------------|-----------------|--------------|--------------------|
|  |  |                      | Code             | V   | (A)              | (D)              | Date Exercisable | Expiration Date | Title        | Amount Num. Shares |
| Series A Cumulative Redeemable Convertible Preferred Stock | \$ 8                                     | 12/31/2010           | J <sup>(1)</sup> |   | 500,000          |                  | 12/31/2010       | 12/31/2010      | Common Stock | 1,2                |
| Series A Cumulative Redeemable Convertible Preferred Stock | \$ 8                                     | 12/31/2010           | J <sup>(1)</sup> |   | 181,100          |                  | 12/31/2010       | 12/31/2010      | Common Stock | 45                 |
| Series A Cumulative Redeemable Convertible Preferred Stock | \$ 8                                     | 12/31/2010           | J <sup>(1)</sup> |   | 31,400           |                  | 12/31/2010       | 12/31/2010      | Common Stock | 78                 |
| Series A Cumulative Redeemable Convertible Preferred Stock | \$ 8                                     | 12/31/2010           | J <sup>(1)</sup> |   | 28,800           |                  | 12/31/2010       | 12/31/2010      | Common Stock | 72                 |
| Series A Cumulative Redeemable Convertible Preferred Stock | \$ 8                                     | 12/31/2010           | J <sup>(1)</sup> |   | 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<br>600 MONTGOMERY STREET<br>SUITE 2000 |               | X         |         |       |

