

HISCOCK & BARCLAY<sup>LLP</sup>

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Partner

October 21, 2014

**VIA E-FILING**

The Honorable Andrew J. Peck  
United States Magistrate Judge  
United States Courthouse, Courtroom 20D  
500 Pearl Street  
New York, NY 10007-1312

Re: *Beacon Associates LLC I, et al. v. Beacon Associates Management Corp.*  
Civil Case No.: 14-cv-2294 (AJP)

Dear Judge Peck:

I am writing on behalf of the parties to request an additional extension – until Monday, October 27, 2014 – for the filing of a proposed order in the above-referenced action. I have conferred with all counsel, and we are in agreement on the need for additional time.

As set forth in the October 14, 2014 letter to Your Honor from Arthur Jakoby, counsel to the Plaintiff Funds, the parties are working together to gain consensus and avoid further briefing, particularly with respect to the distribution method to be applied once all investors are made whole as to their net investments. The parties are working jointly to submit a proposed Final Distribution Order consistent with the Court's indication at the hearing that, after all investors are made whole, the future money be distributed in accordance with the Valuation Method. The Funds have provided Defendants and one of the investors who appeared at the hearing with additional discovery/information so that the parties and investors who appeared at the hearing can hopefully reach a consensus on this issue.

Although the parties had hoped to submit the proposed order to the Court today, we have not been able to finalize a draft and are still exchanging information. As a result, the parties respectively request an extension until October 27, 2014, for the submission of the proposed order.

Respectfully submitted,



Brian E. Whiteley