

HISCOCK & BARCLAY^{LLP}

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Partner

October 30, 2014

VIA E-FILING

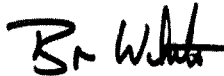
The Honorable Andrew J. Peck
United States Magistrate Judge
United States Courthouse, Courtroom 20D
500 Pearl Street
New York, NY 10007-1312

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

Dear Judge Peck:

At the conclusion of the hearing on October 7, 2014 leading to the draft order that the parties have submitted today, Your Honor asked that, to the extent any party planned to appeal the order, the Court be notified of that fact so that the Court can prepare a written opinion. The draft of the order submitted today provides for a distribution in accordance with the terms of the "Order no later than thirty (30) days after this Order becomes final and all appeals therefrom have been exhausted (calculated as affording each investor forty-five days from the date of mailing of this Order to each investor by first-class U.S. Mail, to challenge or appeal this Court's Order). The defendant Income-Plus Investment Fund ("Income-Plus") has not yet made a final determination as to whether to appeal, and that decision may be informed by the response of other Beacon investors after their receipt of the Court's Order. In light of those facts, Income-Plus respectfully request that the Court issue a written opinion with respect to its decision.

Respectfully submitted,



Brian E. Whiteley

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