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MEMO ENDORSED

APPROVED

SO ORDERED

Hon. Andrew J. Peck  
United States Magistrate Judge

ARTHUR G. JAKOBY  
PARTNER  
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9/22/14

*Handwritten signature: Arthur G. Jakoby*

USDC SDNY  
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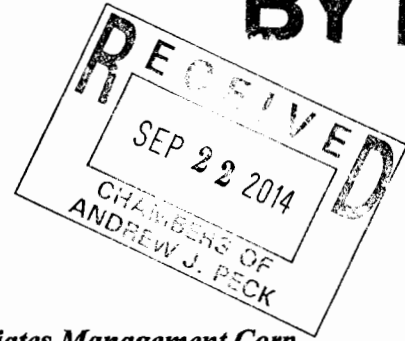
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DATE FILED: 9-22-14

September 22, 2014

BY ECF

VIA ELECTRONIC MAIL

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:

We represent Beacon Associates LLC I, Beacon Associates LLC II, Andover Associates LLC I, Andover Associates QP LLC, and Andover Associates, L.P. (the "Funds" or "Plaintiffs") in connection with the captioned matter.

Pursuant to the original scheduling order entered in the referenced matter [Dkt. Doc. 17], Fund investors had until September 12, 2014 to submit any support or objection to a distribution method to Fund Counsel and to advise Fund Counsel if any Fund investor wishes to make an oral statement at the Fairness Hearing. Further, the scheduling order required that Fund Counsel "submit any support or objections submissions received to the Court and all parties by September 23, 2014 with a report to the Court advising the Court in summary of the positions taken by investors and a list of investors who wish to be heard at the Fairness Hearing with a summary of each such investor's position."

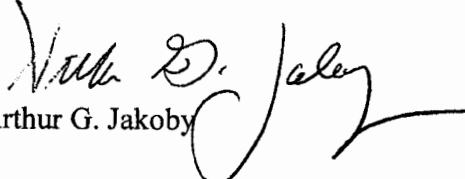
While the date for Fund Investors to submit their position to Fund Counsel was subsequently changed by court order [Dkt. Docs. 21 and 22] to September 26, 2014, the date for Fund Counsel's submission to the Court was never updated, and it remains September 23, 2014 — which is obviously nonsensical since now investor submissions are due after September 23<sup>rd</sup>. Accordingly, we respectfully request that the date for Fund Counsel to submit any support or objections submissions received to the Court and all parties, with a report to the Court advising the Court in summary of the positions taken by investors and a list of investors who wish to be heard at the Fairness Hearing with a summary of each such investor's position be **October 3, 2014**. The Fairness Hearing is scheduled for October 7, 2013.

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We respectfully request that the Court endorse this letter, ordering the scheduling change described above.

Respectfully submitted,

  
Arthur G. Jakoby

cc: All Parties (via e-mail)