

EXHIBIT A-4

CLOSED,APPEAL,ECF,MAGCONSENT,RELATED

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:14-cv-02294-AJP

Beacon Associates LLC I et al v. Beacon Associates Management Corp. et al
Assigned to: Magistrate Judge Andrew J. Peck
Related Case: [1:09-cv-06910-CM](#)
Cause: 28:2201dj Declaratory Judgment

Date Filed: 04/02/2014
Date Terminated: 10/31/2014
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Date Filed	#	Docket Text
04/02/2014	1	CIVIL COVER SHEET filed. (lcu) (Entered: 04/04/2014)
04/02/2014	2	COMPLAINT against Andover Associates Management Corp., Beacon Associates Management Corp., David Fastenberg, Income Plus Investment Fund, Long Island Vitreo-Retinal Consultants 401K FBO David Fastenberg. (Filing Fee \$ 350.00, Receipt Number 465401091489)Document filed by Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II, Andover Associates (QP) LLC, Andover Associates LLC I.(lcu) (Entered: 04/04/2014)
04/02/2014	3	STATEMENT OF RELATEDNESS re: that this action be filed as related to 09-cv-6910 (CM). Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II.(lcu) (Entered: 04/04/2014)
04/02/2014		Case Designated ECF. (lcu) (Entered: 04/04/2014)
04/02/2014		CASE REFERRED TO Judge Colleen McMahon as possibly similar to 1:09-cv-6910. (lcu) (Entered: 04/04/2014)
04/04/2014	4	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II.(Kelman, Leah) (Entered: 04/04/2014)
04/04/2014	5	ENDORSED LETTER addressed to Judge Colleen McMahon from Arthur G. Jakoby, dated 4/3/2014, re: we submitted a Related Case Statement explaining that this action is related to Beacon Associates Management Corp. v. Beacon Associates LLC I, Civil Case No. 09-cv-6910, which was assigned to Your Honor and to Magistrate Judge Andrew J. Peck (the "2009 Action"). Judge Peck represented that he does not object to the assignment of the matter to him so long as the assignment is in compliance with the rules. ENDORSEMENT: I agree that the cases are related and will so indicate when asked by the assignment committee. (Signed by Judge Colleen McMahon on 4/3/2014) (ja) (Entered: 04/04/2014)

04/04/2014	6	SUMMONS RETURNED EXECUTED. All Defendants. Document filed by Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II, Andover Associates (QP) LLC, Andover Associates LLC I. (Kelman, Leah) (Entered: 04/04/2014)
04/11/2014		CASE ACCEPTED AS RELATED. Create association to 1:09-cv-06910-CM. Notice of Assignment to follow. (pgu) (Entered: 04/11/2014)
04/11/2014		NOTICE OF CASE ASSIGNMENT to Judge Colleen McMahon. Judge Unassigned is no longer assigned to the case. (pgu) (Entered: 04/11/2014)
04/11/2014		Magistrate Judge Andrew J. Peck is so designated. (pgu) (Entered: 04/11/2014)
04/14/2014	7	NOTICE OF APPEARANCE by Max Folkenflik on behalf of David Fastenberg. (Folkenflik, Max) (Entered: 04/14/2014)
04/16/2014	8	ORDER SCHEDULING AN INITIAL PRETRIAL CONFERENCE: The parties must appear for a conference on 6/6/2014 in courtroom 14C, 500 Pearl Street, New York, New York 10007 at 10:45 a.m. As further set forth herein are the rules governing this schedule. Initial Conference set for 6/6/2014 at 10:45 AM in Courtroom 14C, 500 Pearl Street, New York, NY 10007 before Judge Colleen McMahon. (Signed by Judge Colleen McMahon on 4/16/2014) (ja) (Entered: 04/16/2014)
05/01/2014	9	MOTION for Brian E. Whiteley to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9623990. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit Certificate of Good Standing in Commonwealth of MA, # 2 Exhibit Certificate of Good Standing in State of NY, # 3 Text of Proposed Order [Proposed Order] for Admission PHV on Written Motion)(Whiteley, Brian) (Entered: 05/01/2014)
05/01/2014		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 9 MOTION for Brian E. Whiteley to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9623990. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 05/01/2014)
05/01/2014	10	MOTION for Carolyn A. Marcotte to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9624155. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit Certificate of Good Standing in Commonwealth of MA, # 2 Exhibit Certificate of Good Standing in State of NY, # 3 Text of Proposed Order [Proposed Order] for Admission PHV on Written Motion)(Marcotte, Carolyn) (Entered: 05/01/2014)
05/01/2014		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 10 MOTION for Carolyn A. Marcotte to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9624155. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 05/01/2014)

		05/01/2014)
05/06/2014	11	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting 9 Motion for Brian E. Whiteley to Appear Pro Hac Vice. (Signed by Judge Colleen McMahon on 5/6/2014) (ja) (Entered: 05/06/2014)
05/06/2014	12	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting 10 Motion for Carolyn A. Marcotte to Appear Pro Hac Vice. (Signed by Judge Colleen McMahon on 5/6/2014) (ja) (Entered: 05/06/2014)
05/13/2014	13	NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates Management Corp., Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II, Beacon Associates Management Corp., David Fastenberg, Income Plus Investment Fund, Long Island Vitreo-Retinal Consultants 401K FBO David Fastenberg. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Andrew J. Peck. (Signed by Judge Colleen McMahon on 5/12/2014) (ja) (Entered: 05/13/2014)
05/14/2014	14	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Income Plus Investment Fund.(Marcotte, Carolyn) (Entered: 05/14/2014)
05/14/2014	15	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated 5/14/2014 re: Request for an initial conference with Judge Peck. ENDORSEMENT: Assuming this proposal is acceptable to all counsel of record, counsel shall confer and submit a proposed order containing the dates and details to accomplish this schedule, leaving blank only the date for the fairness hearing. (Signed by Magistrate Judge Andrew J. Peck on 5/14/2014) (ajs) (Entered: 05/14/2014)
05/30/2014	16	ORDER SCHEDULING STATUS CONFERENCE: Status Conference set for 6/2/2014 at 04:00 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. Counsel are advised that my chambers are to be provided with a courtesy copy of all papers hereafter filed with the Court. SO ORDERED. (Signed by Magistrate Judge Andrew J. Peck on 5/30/2014) (ajs) (Entered: 05/30/2014)
06/03/2014		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Status Conference held on 6/3/2014. 1.Defendants opening briefs due 7/15, Defendant opp briefs due 8/8, no reply. Add'l investor submissions due 9/23.2.Fairness hearing 10/7 at 9:30 AM. (Gray, Diane) (Entered: 06/03/2014)
06/03/2014	17	SCHEDULING ORDER: Motions due by 7/15/2014. Responses due by 8/8/2014 Fairness Hearing set for 10/7/2014 at 09:00 AM before Magistrate Judge Andrew J. Peck. (Signed by Magistrate Judge Andrew J. Peck on 6/3/2014) (ajs) (Entered: 06/03/2014)
06/10/2014	18	STIPULATION AND PROTECTIVE ORDER FOR THE PRODUCTION AND EXCHANGE OF CONFIDENTIAL INFORMATION: Regarding procedures to be followed that shall govern the handling of confidential

		material. (Signed by Magistrate Judge Andrew J. Peck on 6/9/2014) (ajs) (Entered: 06/10/2014)
07/02/2014	19	TRANSCRIPT of Proceedings re: CONFERENCE held on 6/2/2014 before Magistrate Judge Andrew J. Peck. Court Reporter/Transcriber: Michael McDaniel, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/28/2014. Redacted Transcript Deadline set for 8/7/2014. Release of Transcript Restriction set for 10/3/2014.(Rodriguez, Somari) (Entered: 07/02/2014)
07/02/2014	20	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 6/2/14 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 07/02/2014)
07/08/2014	21	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 7/8/2014 re: Briefing schedule. ENDORSEMENT: Approved. SO ORDERED. (Brief due by 7/15/2014. Responses to Brief due by 8/8/2014) (Signed by Magistrate Judge Andrew J. Peck on 7/8/2014) (ajs) (Entered: 07/08/2014)
08/06/2014	22	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 8/6/2014 re: Extension of time. ENDORSEMENT: Approved on consent and because it does not extend the conclusion of the briefing schedule. (Brief due by 8/22/2014. Responses to Brief due by 9/5/2014) (Signed by Magistrate Judge Andrew J. Peck on 8/6/2014) (ajs) (Entered: 08/06/2014)
08/19/2014	23	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 8/18/2014 re: Extension of time. ENDORSEMENT: Extension granted. SO ORDERED. (Brief due by 8/27/2014.) (Signed by Magistrate Judge Andrew J. Peck on 8/19/2014) (ajs) (Entered: 08/19/2014)
08/27/2014	24	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 08/27/2014)
08/27/2014	25	BRIEF <i>in Repsonse to Request for Declaratory Judgment</i> . Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 08/27/2014)
08/27/2014	26	DECLARATION of John P. Jeanneret in Support re: 25 Brief. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Whiteley, Brian) (Entered: 08/27/2014)
08/27/2014	27	DECLARATION of Brian E. Whiteley in Support re: 25 Brief. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Whiteley, Brian) (Entered: 08/27/2014)

08/27/2014	28	FILING ERROR - ELECTRONIC FILING OF NON-ECF DOCUMENT - MOTION for Declaratory Judgment .(Responses due by 9/12/2014), MOTION Mandatory Injunction and Declaratory Judgment . Document filed by David Fastenberg. Return Date set for 10/7/2014 at 09:00 AM.(Folkenflik, Max) Modified on 8/28/2014 (db). (Entered: 08/27/2014)
08/27/2014	29	FILING ERROR - DEFICIENT DOCKET ENTRY - DECLARATION of Max Folkenflik in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment .. Document filed by David Fastenberg. (Attachments: # 1 Exhibit A - Complaint 040214, # 2 Exhibit B - Operating Agreement, # 3 Exhibit C - Decision & Order 050913) (Folkenflik, Max) Modified on 8/28/2014 (db). (Entered: 08/27/2014)
08/27/2014	30	FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . . Document filed by David Fastenberg. (Folkenflik, Max) Modified on 8/28/2014 (db). (Entered: 08/27/2014)
08/28/2014		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Max Folkenflik to MANUALLY RE-FILE Document Nos. [28-30] Order to Show Cause with Supporting Documents. These documents are not filed via ECF. (db) (Entered: 08/28/2014)
09/05/2014	31	REPLY to Response to Motion re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . <i>Declaration of Max Folkenflik in Further Support of Motion for Declaratory Judgment.</i> Document filed by David Fastenberg. (Attachments: # 1 Exhibit A) (Folkenflik, Max) (Entered: 09/05/2014)
09/05/2014	32	REPLY MEMORANDUM OF LAW in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . . Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 09/05/2014)
09/05/2014	33	BRIEF re: 25 <i>Brief In Reply to Defendant Fastenberg's Memorandum of 8-27-14.</i> Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 09/05/2014)
09/05/2014	34	DECLARATION of Brian E. Whiteley in Opposition re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment .. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit 1)(Whiteley, Brian) (Entered: 09/05/2014)
09/08/2014	35	LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 08/09/14 re: Defendant David Fastenberg's Motion for a Mandatory Injunction and a Declaratory Judgment. Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 09/08/2014)
09/11/2014	36	ORDER TO SHOW CAUSE FOR MANDATORY INJUNCTION AND DECLARATORY JUDGMENT: that plaintiff and other Defendants shall show cause as to why an Order should not be made and entered as further set

		forth in this order. Show Cause Hearing set for 10/7/2014 at 09:00 AM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. Show Cause Response due by 9/12/2014. (Signed by Magistrate Judge Andrew J. Peck on 9/11/2014) (tn) (Entered: 09/11/2014)
09/22/2014	37	LETTER MOTION for Extension of Time to File <i>Fund Counsel's submission</i> addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated September 22, 2014. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II.(Jakoby, Arthur) (Entered: 09/22/2014)
09/22/2014	38	ORDER granting 37 Letter Motion for Extension of Time to File: APPROVED. (Signed by Magistrate Judge Andrew J. Peck on 9/22/2014) (tn) (Entered: 09/22/2014)
10/03/2014	39	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated October 3, 2014 re: Summary of Investor Submissions. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Jakoby, Arthur) (Entered: 10/03/2014)
10/06/2014	40	ORDER: that the following attorney(s) are authorized to bring the Personal Electronic Device(s) and/or the General Purpose Computing Device(s) (collectively, "Devices") listed below into the Courthouse for use in a proceeding or trial in the action captioned Beacon Associates LLC I, et al v. Beacon Associates Management Corp., et al., No. 14cv2294 on 10/7/2014: Max Folkenflik - iPad. (Signed by Magistrate Judge Andrew J. Peck on 10/6/2014) (tn) (Entered: 10/07/2014)
10/07/2014		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Fairness Hearing held on 10/7/2014. Proposed order due 10/10; further submissions due 10/17. Court rules that Madoff - related funds are to be distributed via the Net Investment Method (taking account also if amounts Beacon and Andover members rec'd from the class action settlement approved by Judge McMahon). The \$19.6 million "clawback" amount is already distributed using Valuation Method and that is approved. Expenses to be allocated to moneys being distributed (so almost all will be allocated same as Madoff - related funds). Parties to discuss and brief what to do with moneys rec'd once all investors are made whole as to their investments. (Gray, Diane) (Entered: 10/07/2014)
10/14/2014	41	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated 10/14/14 re: parties working jointly on a Distribution Order. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II.(Jakoby, Arthur) (Entered: 10/14/2014)
10/14/2014	42	MEMO ENDORSEMENT on re: 41 Letter, filed by Andover Associates (QP) LLC, Beacon Associates LLC II, Beacon Associates LLC I, Andover Associates, L.P., Andover Associates LLC I. ENDORSEMENT: Request approved. Proposed Order due 10/21/2014. (Signed by Magistrate Judge

		Andrew J. Peck on 10/14/2014) (ja) (Entered: 10/15/2014)
10/16/2014	43	TRANSCRIPT of Proceedings re: ARGUMENT held on 10/7/2014 before Magistrate Judge Andrew J. Peck. Court Reporter/Transcriber: Paula Speer, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/10/2014. Redacted Transcript Deadline set for 11/20/2014. Release of Transcript Restriction set for 1/17/2015. (McGuirk, Kelly) (Entered: 10/16/2014)
10/16/2014	44	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 10/7/2014 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/16/2014)
10/17/2014	45	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated October 17, 2014 re: memorandum of investor Howard Siegel. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. (Attachments: # 1 Memorandum of Investor Howard Siegel)(Jakoby, Arthur) (Entered: 10/17/2014)
10/21/2014	46	LETTER MOTION for Extension of Time to File <i>Proposed Order</i> addressed to Magistrate Judge Andrew J. Peck from Brian Whiteley dated 10/21/2014. Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 10/21/2014)
10/21/2014	47	ORDER granting 46 Letter Motion for Extension of Time to File: Approved. Submission now due 10/27/2014. (Signed by Magistrate Judge Andrew J. Peck on 10/21/2014) (tn) (Entered: 10/21/2014)
10/31/2014	48	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated October 31, 2014 re: Final Distribution Order. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. (Attachments: # 1 (Proposed) Final Distribution Order)(Jakoby, Arthur) (Entered: 10/31/2014)
10/31/2014	49	LETTER addressed to Magistrate Judge Andrew J. Peck from Brian E. Whiteley dated October 31, 2014 re: Notice of Request for Written Opinion. Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 10/31/2014)
10/31/2014	50	SUPPLEMENTAL BRIEF re: 45 Letter, / <i>Addendum To Prior Memorandum Of Investor Howard Siegel With Regard To The Appropriate Methodology To Be Used To Compute Investor Allocation Percentages To Allocate Trustee Recoveries After All Investors Have Received Back Their Entire Capital Investment</i> . Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I,

		Beacon Associates LLC II.(Jakoby, Arthur) (Entered: 10/31/2014)
10/31/2014	51	FINAL DISTRIBUTION ORDER & JUDGMENT: that all monies recovered by the Beacon Funds from the Madoff Bankruptcy Trustee (the "Beacon Bankruptcy Recovery") and future money due to the Beacon funds from the Madoff Trustee based upon an Allowed Madoff Bankruptcy claim of \$159,867,924.62 and any monies recovered by the Beacon Funds directly attributed or based upon the Beacon Funds' Madoff loss (i.e. settlements of the lawsuits identified by the parties), exclusive of (a) the Beacon Clawback Amount (defined below) which was paid back to the Beacon Funds by the Madoff Bankruptcy Trustee (the "Beacon Net Bankruptcy Recovery") and (b) the \$2,842,270.00 return of unpaid but accrued management fees which in accordance with the Ivy Class Action settlement before the Honorable Colleen McMahon (the "Judge McMahon Ordered Plan of Allocation") were previously distributed to investors out of Madoff Trustee money, should be distributed in accordance with Net Equity Method, as defined below, until all investors are made whole (i.e., have received back all of their principal invested in Beacon), as further set forth in this order. This constitutes the final decision and Order of the Court. THE CLERK OF COURT SHALL CLOSE THE CASE. (Signed by Magistrate Judge Andrew J. Peck on 10/31/2014) (tn) (Entered: 10/31/2014)
10/31/2014	52	MEMO ENDORSEMENT on re: 49 Letter filed by Income Plus Investment Fund. ENDORSEMENT: The Court's reasoning was adequately described at the fairness hearing and in the Final Distribution Order & Judgment. While the Court reserves the right to issue a further clarifying opinion in response to any appeal, the Court does not intend to do so now. (Signed by Magistrate Judge Andrew J. Peck on 10/31/2014) (tn) (Entered: 10/31/2014)
10/31/2014		Terminate Transcript Deadlines (tn) (Entered: 10/31/2014)
01/16/2015		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Telephone Conference held on 1/15/2015. Parties raise issue re how to treat "related entities" eg AIJED Associates (domestic) and AIJED International (off shore). Parties to advise by 1/23/15 re proposed next steps. (Gray, Diane) (Entered: 01/16/2015)
01/26/2015	53	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated 1/23/2015 re: Counsel writes to propose a disclosure and briefing schedule with respect to the dispute identified for Your Honor during our conference call on January 14, 2015. ENDORSEMENT: APPROVED. (Brief due by 3/6/2015. Responses to Brief due by 3/23/2015) (Signed by Magistrate Judge Andrew J. Peck on 1/26/2015) (tn) (Entered: 01/26/2015)
02/20/2015	54	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by AIJED International, Ltd..(Presa, Rachel) (Entered: 02/20/2015)
02/20/2015	55	NOTICE OF APPEARANCE by Rachel Jade Presa on behalf of AIJED International, Ltd.. (Presa, Rachel) (Entered: 02/20/2015)
02/20/2015	56	NOTICE OF APPEARANCE by Mitchell Patrick Hurley on behalf of AIJED

		International, Ltd.. (Hurley, Mitchell) (Entered: 02/20/2015)
02/20/2015	57	LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik, Esq. dated 2/20/15 re: Discovery. Document filed by David Fastenberg.(Folkenflik, Max) (Entered: 02/20/2015)
02/20/2015	58	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated February 20, 2015 re: AIJED request for investor information. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II.(Jakoby, Arthur) (Entered: 02/20/2015)
02/23/2015	59	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Mitchell P. Hurley dated 2/20/2015 re: To address certain discovery issues that have arisen in the above-referenced matter. ENDORSEMENT: The Court will hold a conference on 2/25 at 10 AM to resolve the discovery matters raised in the recent letters. (Status Conference set for 2/25/2015 at 10:00 AM before Magistrate Judge Andrew J. Peck.) (Signed by Magistrate Judge Andrew J. Peck on 2/23/2015) (kko) (Entered: 02/23/2015)
02/24/2015	60	LETTER addressed to Magistrate Judge Andrew J. Peck from Brian E. Whiteley dated February 24, 2015 re: Discovery Conference. Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 02/24/2015)
02/25/2015	61	TRANSCRIPT of Proceedings re: conference held on 1/14/2015 before Magistrate Judge Andrew J. Peck. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/23/2015. Redacted Transcript Deadline set for 4/2/2015. Release of Transcript Restriction set for 5/29/2015.(McGuirk, Kelly) (Entered: 02/25/2015)
02/25/2015	62	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 1/14/2015 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 02/25/2015)
02/25/2015		Minute Entry for proceedings held before Magistrate Judge Andrew J. Peck: Status Conference held on 2/25/2015. 1.Discovery issues re AIJED resolved see transcript. 2.AIJED agrees it is applying pursuant to the Court's retention of jurisdiction redistribution issues and § 636(c) applies.3.Next step is the briefing, starting w. March 6, 2015 opening briefs. (Gray, Diane) (Entered: 02/25/2015)
03/03/2015	63	LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 03/03/2015 re: Briefing Schedule on the "holdback" issues. Document filed by David Fastenberg.(Folkenflik, Max) (Entered: 03/03/2015)
03/04/2015	64	MEMO ENDORSEMENT on re: 63 Letter filed by David Fastenberg.

		ENDORSEMENT: Approved. (Signed by Magistrate Judge Andrew J. Peck on 3/3/2015) (tn) (Entered: 03/04/2015)
03/04/2015		Set/Reset Deadlines: Brief due by 3/12/2015. (tn) (Entered: 03/04/2015)
03/10/2015	65	TRANSCRIPT of Proceedings re: CONFERENCE held on 2/25/2015 before Magistrate Judge Andrew J. Peck. Court Reporter/Transcriber: Steven Griffing, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/3/2015. Redacted Transcript Deadline set for 4/13/2015. Release of Transcript Restriction set for 6/11/2015.(McGuirk, Kelly) (Entered: 03/10/2015)
03/10/2015	66	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 2/25/2015 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/10/2015)
03/12/2015	67	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Max Folkenflik dated 3/12/2015 re: Counsel requests a one-day adjournment of the date for submission of opening briefs on the "holdback" issues until 3/13/2015. ENDORSEMENT: Approved. (Brief due by 3/13/2015.) (Signed by Magistrate Judge Andrew J. Peck on 3/12/2015) (tn) (Entered: 03/12/2015)
03/13/2015	68	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated March 13, 2015 re: investor Holdback issue. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. (Jakoby, Arthur) (Entered: 03/13/2015)
03/13/2015	69	BRIEF of Defendant Income-Plus Investment Fund Relating to Calculation of Net Equity for Certain Investors (REDACTED). Document filed by Income Plus Investment Fund.(Whiteley, Brian) (Entered: 03/13/2015)
03/13/2015	70	DECLARATION of Brian Whiteley re: 69 Brief Defendant Income-Plus Investment Fund Relating to Calculation of Net Equity for Certain Investors. Document filed by Income Plus Investment Fund. (Attachments: # 1 Exhibit 1)(Whiteley, Brian) (Entered: 03/13/2015)
03/13/2015	71	DECLARATION of John P. Jeanneret, Ph.D. re: 69 Brief of Defendant Income-Plus Investment Fund Relating to Calculation of Net Equity for Certain Investors (REDACTED). Document filed by Income Plus Investment Fund. (Whiteley, Brian) (Entered: 03/13/2015)
03/13/2015	72	MEMORANDUM OF LAW in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . . Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 03/13/2015)

03/13/2015	73	DECLARATION of Max Folkenflik in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment .. Document filed by David Fastenberg. (Attachments: # 1 Exhibit to be filed under seal)(Folkenflik, Max) (Entered: 03/13/2015)
03/13/2015	74	DECLARATION of Mitchell P. Hurley . Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit A, # 2 Exhibit B (REDACTED), # 3 Exhibit C (REDACTED), # 4 Exhibit D (REDACTED), # 5 Exhibit E (REDACTED), # 6 Exhibit F (REDACTED), # 7 Exhibit G (REDACTED), # 8 Exhibit H (REDACTED), # 9 Exhibit I)(Hurley, Mitchell) (Entered: 03/13/2015)
03/13/2015	75	DECLARATION of Arthur S. Gordon . Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit A (REDACTED), # 2 Exhibit B (REDACTED))(Hurley, Mitchell) (Entered: 03/13/2015)
03/13/2015	76	MEMORANDUM OF LAW in Support of <i>AIJED International LTD's Application for Release of Funds Due Pursuant to This Court's October 31, 2014 Order (REDACTED)</i> . Document filed by AIJED International, Ltd.. (Hurley, Mitchell) (Entered: 03/13/2015)
03/13/2015	77	SEALED DOCUMENT placed in vault.(mps) (Entered: 03/16/2015)
03/16/2015	78	ORDER: Counsel shall promptly provide courtesy copies (unredacted) of their recent filings. (Signed by Magistrate Judge Andrew J. Peck on 3/16/2015) (tro) (Entered: 03/16/2015)
03/16/2015		Set/Reset Deadlines: Ready for Trial by 6/12/2015. (tro) (Entered: 03/16/2015)
03/17/2015	79	AMENDED MEMORANDUM OF LAW in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . [REDACTED]. Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 03/17/2015)
03/23/2015	80	REPLY MEMORANDUM OF LAW in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment . . Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 03/23/2015)
03/23/2015	81	REPLY AFFIRMATION of Max Folkenflik in Support re: 28 MOTION for Declaratory Judgment . MOTION Mandatory Injunction and Declaratory Judgment .. Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 03/23/2015)
03/23/2015	82	BRIEF re: 69 Brief Reply Memorandum of Defendant Income-Plus Investment Fund Relating to Calculation of Net Equity for Certain Investors (REDCATED). Document filed by Income Plus Investment Fund. (Attachments: # 1 Declaration of John P. Jeanneret Ph.D., # 2 Exhibit A to Declaration of John P. Jeanneret Ph.D.)(Whiteley, Brian) (Entered: 03/23/2015)
03/23/2015	83	FILING ERROR - DEFICIENT DOCKET ENTRY - FILER ERROR - (SEE ENTRY# 86) REPLY MEMORANDUM OF LAW in Support of

		<i>AIJED International LTD's Application for Release of Funds Due Pursuant to This Court's October 31, 2014 Order (REDACTED)</i> . Document filed by AIJED International, Ltd.. (Hurley, Mitchell) Modified on 3/31/2015 (kj). (Entered: 03/23/2015)
03/23/2015	84	FILING ERROR - DEFICIENT DOCKET ENTRY - FILER ERROR - (SEE ENTRY# 87) DECLARATION of Arthur S. Gordon (<i>REDACTED</i>). Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit C (<i>REDACTED</i>), # 2 Exhibit D (<i>REDACTED</i>), # 3 Exhibit E (<i>REDACTED</i>), # 4 Exhibit F (<i>REDACTED</i>), # 5 Exhibit G (<i>REDACTED</i>), # 6 Exhibit H (<i>REDACTED</i>), # 7 Exhibit I (<i>REDACTED</i>))(Hurley, Mitchell) Modified on 3/31/2015 (kj). (Entered: 03/23/2015)
03/23/2015	85	DECLARATION of Rachel J. Presa . Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Hurley, Mitchell) (Entered: 03/23/2015)
03/23/2015	86	REPLY MEMORANDUM OF LAW in Support of <i>AIJED International LTD's Application for Release of Funds Due Pursuant to This Court's October 31, 2014 Order (CORRECTED) (REDACTED)</i> . Document filed by AIJED International, Ltd.. (Hurley, Mitchell) (Entered: 03/23/2015)
03/23/2015	87	DECLARATION of Arthur S. Gordon (<i>CORRECTED) (REDACTED)</i> . Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit C (<i>REDACTED</i>), # 2 Exhibit D (<i>REDACTED</i>), # 3 Exhibit E (<i>REDACTED</i>), # 4 Exhibit F (<i>REDACTED</i>), # 5 Exhibit G (<i>REDACTED</i>), # 6 Exhibit H (<i>REDACTED</i>), # 7 Exhibit I (<i>REDACTED</i>))(Hurley, Mitchell) (Entered: 03/23/2015)
03/23/2015	88	SEALED DOCUMENT placed in vault.(rz) (Entered: 03/24/2015)
03/24/2015	89	SEALED DOCUMENT placed in vault.(rz) (Entered: 03/24/2015)
04/06/2015	90	SEALED DOCUMENT placed in vault.(nm) (Entered: 04/06/2015)
04/08/2015	91	ORDER: For the reasons discussed above, in equity and fairness, AIJED I and AIJED II, and each related "Holdback Investor," should be treated by Beacon as a single entity for purposes of determining Net Equity. (Signed by Magistrate Judge Andrew J. Peck on 4/8/2015) (tn) (Entered: 04/08/2015)
04/08/2015		Terminate Transcript Deadlines (tn) (Entered: 04/08/2015)
04/14/2015	92	NOTICE OF APPEAL from 91 Order,. Document filed by AIJED International, Ltd.. Filing fee \$ 505.00, receipt number 0208-10812667. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Hurley, Mitchell) (Entered: 04/14/2015)
04/14/2015		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 92 Notice of Appeal. (tp) (Entered: 04/14/2015)
04/14/2015		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 92 Notice of Appeal filed by AIJED International, Ltd. were transmitted to the U.S. Court of Appeals. (tp) (Entered: 04/14/2015)

04/15/2015	93	LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated April 15, 2015 re: consideration of docket no. 68. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. (Jakoby, Arthur) (Entered: 04/15/2015)
04/15/2015	94	MEMO ENDORSEMENT on re: 93 LETTER addressed to Magistrate Judge Andrew J. Peck from Arthur G. Jakoby dated April 15, 2015 re: consideration of docket no. 68. Document filed by Andover Associates (QP) LLC, Andover Associates LLC I, Andover Associates, L.P., Beacon Associates LLC I, Beacon Associates LLC II. ENDORSEMENT: The Court's April 8, 2015 Order applies to all Holdback Claimants. So ordered. (Signed by Magistrate Judge Andrew J. Peck on 4/15/2015) Copies Sent By Chambers via ECF. (rjm). (Entered: 04/16/2015)
04/16/2015	95	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Mitchell P. Hurley dated 4/15/2015 re: the parties propose that AIJED file its opening brief on Monday, April 20, 2015 by 5:00 p.m.; any parties opposing the Stay Motion file opposition brief(s) on Thursday, April 23, 2015 by 5:00 p.m.; and AIJED file its reply any time on Friday, April 24, 2015. ENDORSEMENT: Approved. A conference on this matter will be held on April 27, 2015 at 4:30 PM. (Motions due by 4/20/2015. Responses due by 4/23/2015. Replies due by 4/24/2015.) (Status Conference set for 4/27/2015 at 04:30 PM before Magistrate Judge Andrew J. Peck.) (Signed by Magistrate Judge Andrew J. Peck on 4/16/2015) (tn) (Entered: 04/16/2015)
04/16/2015	96	ORDER SCHEDULING STATUS CONFERENCE: Status Conference set for 4/27/2015 at 04:30 PM in Courtroom 20D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Andrew J. Peck. (Signed by Magistrate Judge Andrew J. Peck on 4/16/2015) (tn) (Entered: 04/16/2015)
04/20/2015	97	MOTION to Stay of Enforcement and Preliminary Injunction Pending Appeal. Document filed by AIJED International, Ltd..(Hurley, Mitchell) (Entered: 04/20/2015)
04/20/2015	98	DECLARATION of Rachel J. Presa in Support re: 97 MOTION to Stay of Enforcement and Preliminary Injunction Pending Appeal.. Document filed by AIJED International, Ltd.. (Hurley, Mitchell) (Entered: 04/20/2015)
04/20/2015	99	MEMORANDUM OF LAW in Support re: 97 MOTION to Stay of Enforcement and Preliminary Injunction Pending Appeal. [Redacted]. Document filed by AIJED International, Ltd.. (Hurley, Mitchell) (Entered: 04/20/2015)
04/20/2015	100	SEALED DOCUMENT placed in vault.(mps) (Entered: 04/21/2015)
04/23/2015	101	DECLARATION of Max Folkenflik in Opposition re: 97 MOTION to Stay of Enforcement and Preliminary Injunction Pending Appeal.. Document filed by David Fastenberg. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E) (Folkenflik, Max) (Entered: 04/23/2015)
04/23/2015	102	MEMORANDUM OF LAW in Opposition re: 97 MOTION to Stay of

		<i>Enforcement and Preliminary Injunction Pending Appeal. [REDACTED].</i> Document filed by David Fastenberg. (Folkenflik, Max) (Entered: 04/23/2015)
04/23/2015	103	RESPONSE in Opposition to Motion re: 97 MOTION to Stay of <i>Enforcement and Preliminary Injunction Pending Appeal.</i> . Document filed by Income Plus Investment Fund. (Whiteley, Brian) (Entered: 04/23/2015)
04/24/2015	104	REPLY MEMORANDUM OF LAW in Support re: 97 MOTION to Stay of <i>Enforcement and Preliminary Injunction Pending Appeal. [Redacted].</i> Document filed by AIJED International, Ltd.. (Hurley, Mitchell) (Entered: 04/24/2015)
04/24/2015	105	DECLARATION of Arthur S. Gordon in Support re: 97 MOTION to Stay of <i>Enforcement and Preliminary Injunction Pending Appeal.</i> . Document filed by AIJED International, Ltd.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C [Redacted], # 4 Exhibit D [Redacted])(Hurley, Mitchell) (Entered: 04/24/2015)
04/24/2015	106	SEALED DOCUMENT placed in vault.(mps) (Entered: 04/27/2015)
04/27/2015	107	ORDER: that the following attorney(s) are authorized to bring the Personal Electronic Device(s) and/or the General Purpose Computing Device(s) (collectively, "Devices") listed below into the Courthouse for use in a proceeding or trial in the action captioned Beacon Associates LLC, I et al. v. Beacon Associates Management Corp., No. 14-2294, on 4/27/2015: Max Folkenflik - iPad. (Signed by Magistrate Judge Andrew J. Peck on 4/27/2015) (tn) (Entered: 04/27/2015)
04/27/2015	108	SEALED DOCUMENT placed in vault.(rz) (Entered: 04/27/2015)