

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BEACON ASSOCIATES LLC I, BEACON  
ASSOCIATES LLC II, ANDOVER  
ASSOCIATES LLC I, ANDOVER  
ASSOCIATES (q) LLC,

*Plaintiffs,*

vs.

BEACON ASSOCIATES MANAGEMENT  
CORP., ANDOVER ASSOCIATES  
MANAGEMENT CORP., INCOME PLUS  
INVESTMENT FUND, DAVID  
FASTENBERG, TRUSTEE, LONG ISLAND  
VITREO-RETINAL CONSULTANTS 401K  
FBO DAVID FASTENBERG, ET AL.,

*Defendants.*

Civil Action No. 1:14-cv-02294 (AJP)

**DECLARATION OF RACHEL J. PRESA**

I, RACHEL J. PRESA, hereby declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury:

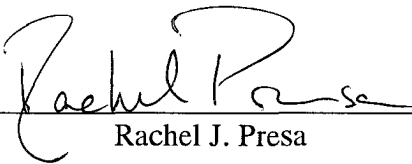
1. I am an attorney at Akin Gump Strauss Hauer & Feld LLP, counsel to AIJED International, Ltd (“AIJED”). I make this declaration in support of AIJED’s Application for Release of Funds Due Pursuant to this Court’s October 31, 2014 Order. This declaration is based upon my own personal knowledge and belief, and upon my review of documents and information made available to me through AIJED, Beacon and other parties involved in this dispute.

2. Attached hereto as Exhibit A is a true and correct copy of a decision by the Bankruptcy Court for the Southern District of New York, *Securities Investor Protection*

*Corporation v. Bernard L. Madoff Investment Securities LLC*, 522 B.R. 41 (S.D.N.Y. Bankr. Dec. 5, 2014), which was issued in connection with Adversary Proceeding number 08-01789.

3. Attached hereto as Exhibit B are the first two pages of the Electronic Mail Notice List for Adversary Proceeding 08-01789. Max Folkenflik's name appears at the bottom of page 2, indicating that he received electronic notifications of filings in this case.

New York, New York  
March 23, 2014

  
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Rachel J. Presa