

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

A & G GOLDMAN PARTNERSHIP and  
PAMELA GOLDMAN,

Defendants-Appellants,

v.

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,

and

CAPITAL GROWTH COMPANY;  
DECISIONS, INC.; FAVORITE FUNDS; JA  
PRIMARY LIMITED PARTNERSHIP; JA  
SPECIAL LIMITED PARTNERSHIP; JAB  
PARTNERSHIP; JEMW PARTNERSHIP; JF  
PARTNERSHIP; JFM INVESTMENT  
COMPANIES; JLN PARTNERSHIP; JMP  
LIMITED PARTNERSHIP; JEFFRY M.  
PICOWER SPECIAL COMPANY; JEFFRY  
M. PICOWER, P.C.; THE PICOWER  
FOUNDATION; THE PICOWER INSTITUTE  
OF MEDICAL RESEARCH; THE TRUST  
F/B/O GABRIELLE H. PICOWER;  
BARBARA PICOWER, individually and as  
Executor of the Estate of Jeffrey M. Picower,  
and as Trustee for the Picower Foundation and  
for the Trust f/b/o Gabriel H. Picower,

Plaintiffs-Appellees.

1:16-cv-2058-GHW

1:16-cv-2065-GHW

**NOTICE OF MOTION TO CONSOLIDATE BANKRUPTCY APPEALS**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law in Support of Joint Motion for Consolidation, Appellee Irving H. Picard (the “Trustee”), Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff, Appellees the Picower Parties,<sup>1</sup> and Appellants Pamela Goldman and A & G Goldman Partnership, hereby move this Court, the Honorable Gregory H. Woods, United States District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, Courtroom 12C, 500 Pearl Street, New York, NY 10007, for the entry of an Order: (1) consolidating the above-captioned bankruptcy appeals, 1:16-cv-2058-GHW and 1:16-cv-2065-GHW; and (2) granting such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, because all parties to the above-captioned appeals have consented to, and join in, this request, and the Securities Investor Protection Corporation consents as well, the parties submit that no further notice is necessary and waive any objection deadline.

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<sup>1</sup> The “Picower Parties” refers to Capital Growth Company; Decisions, Inc.; Favorite Funds; JA Primary Limited Partnership; JA Special Limited Partnership; JAB Partnership; JEMW Partnership; JF Partnership; JFM Investment Companies; JLN Partnership; JMP Limited Partnership; Jeffrey M. Picower Special Company; Jeffrey M. Picower, P.C.; The Picower Foundation; The Picower Institute of Medical Research; The Trust f/b/o Gabrielle H. Picower; Barbara Picower, individually and as Executor of the Estate of Jeffrey M. Picower, and as Trustee for the Picower Foundation and for the Trust f/b/o Gabrielle H. Picower.

Dated: New York, New York  
May 18, 2016

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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F/B/O GABRIELLE H. PICOWER;  
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1:16-cv-2058-GHW

1:16-cv-2065-GHW

**[PROPOSED] ORDER  
CONSOLIDATING ACTIONS**

Upon joint motion, dated May 18, 2016 (the “Consolidation Motion”), filed by all parties, seeking to consolidate the two bankruptcy appeals captioned as *A & G Goldman Partnership v. Picard*, 16-cv-2058-GHW and *A & G Goldman Partnership v. Capital Growth Co.*, 16-cv-2065-GHW (together, the “Goldman Appeals”), pursuant to Federal Rule of Civil Procedure 42(a), it is ORDERED that:

1. The Goldman Appeals shall be consolidated for all purposes.
2. All pleadings and papers filed in the Goldman Appeals shall bear the following consolidated caption:

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

A & G GOLDMAN PARTNERSHIP and  
PAMELA GOLDMAN,

Appellants,

v.

CAPITAL GROWTH COMPANY, *et al.*,

Appellees,

and

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,

Appellees.

1:16-cv-2058-GHW  
(Lead)

1:16-cv-2065-GHW

3. 1:16-cv-2058-GHW shall be designated as the “Lead Case,” and all pleadings and other papers in the Goldman Appeals shall be docketed in the Lead Case only.

4. The briefing schedule so-ordered by this Court on April 25, 2016 shall remain in effect and is not modified.

5. No party’s substantive rights shall be prejudiced by this Order.

6. The Clerk is directed to amend the docket to conform with this Order.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2016

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UNITED STATES DISTRICT COURT JUDGE