

**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,¹ 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.

¹ 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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Securities LLC and the estate of Bernard L.
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situated class*

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

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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

UNITED STATES DISTRICT COURT JUDGE