

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

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

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

Plaintiff,

v.

DORADO INVESTMENT COMPANY;  
MARSHALL D. MILLER, in his capacity as a  
General Partner of Dorado Investment Company;  
DAVID J. MILLER, in his capacity as a General  
Partner of Dorado Investment Company; STEVEN  
L. MILLER, in his capacity as a General Partner of  
Dorado Investment Company; and SUSAN  
MILLER, in her capacity as a General Partner of  
Dorado Investment Company,

Defendants.

Adv. Pro. No. 10-04333 (SMB)

**ORDER PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND  
RULES 2002 AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE  
APPROVING SETTLEMENT AGREEMENTS BY AND AMONG THE TRUSTEE AND  
DORADO INVESTMENT COMPANY, THE PHILEONA FOUNDATION, MARSHALL  
D. MILLER, DAVID J. MILLER, STEVEN L. MILLER, AND SUSAN MILLER**

Upon the motion (the “Motion”)<sup>1</sup> of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff, dated April 1, 2016, seeking entry of an order, pursuant to section 105(a) of title 11, United States Code, 11 U.S.C. §§ 101 *et seq.* and Rules 2002(a)(3) and 9019(a) of the Federal Rules of Bankruptcy Procedure, approving the agreements dated March 31, 2016, by and between the Trustee on the one hand, and Dorado Investment Company (“Dorado”); the Phileona Foundation (“Phileona”); Marshall D. Miller, in his capacities as a General Partner of Dorado and the Manager of Phileona; David J. Miller, in his capacity as a General Partner of Dorado; Steven L. Miller, in his capacity as a General Partner of Dorado; and Susan Miller, in her capacity as a General Partner of Dorado (collectively the “Defendant Parties”), on the other hand, and as more particularly set forth in the agreements annexed as Exhibit A and Exhibit B to the Motion (the “Agreements”) (ECF No. 65 in Adv. Pro. No. 10-04333; ECF No. 13013 in Adv. Pro. No. 08-01789); and it appearing that due and sufficient notice has been given to all parties in interest as required by Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure; and the Court having considered the Affidavit of Irving H. Picard in support of the Motion; and it further appearing that no objection, responsive pleading, or request for a hearing with respect to the Motion was made and a Certificate of No Objection having been filed on April 22, 2016, ECF No. 68 in Adv. Pro. No. 10-04333, ECF No. 13157 in Adv. Pro. No. 08-01789; and it further appearing that this Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and after due deliberation; and sufficient cause appearing therefor; it is

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

ORDERED, that the Motion is granted to the extent set forth in this Order; and it is further

ORDERED, that the Agreements between the Trustee and the Defendant Parties are hereby approved and authorized; and it is further

ORDERED, that the Trustee and the Defendant Parties shall each comply with and carry out the terms of the Agreements; and it is further

ORDERED that this Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York  
April 26<sup>th</sup>, 2016

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE