

Exhibit M

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-mc-00012-KMW**

Picard v. Merkin
Assigned to: Judge Kimba M. Wood
Cause: M 47 Bankruptcy Cases - Before Appeal Filed

Date Filed: 01/14/2011

In Re

**Bernard L. Madoff Investment
Securities LLC.**

represented by **James Craig McCarroll**
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ATTORNEY TO BE NOTICED

Plaintiff

Irving Picard
*Trustee for the Liquidation of Bernard
L. Madoff Investment Securities LLC.*

represented by **David J. Sheehan**
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V.

Defendant**J. Ezra Merkin**

represented by **Andrew J. Levander**
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Defendant**Bart Schwartz**

*as Receiver of Defendants Gabriel
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Defendant**Ariel Fund Limited**

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James Craig McCarroll
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ATTORNEY TO BE NOTICED

Lance Gotthoffer
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/14/2011	1	NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM DECISION AND ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTIONS TO DISMISS TRUSTEE'S COMPLAINT. Document filed by Bart Schwartz, Ariel Fund Limited.(jmi) (jmi). (Entered: 01/19/2011)
01/14/2011	2	MEMORANDUM OF LAW in Support re: 1 NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM. Document filed by Ariel Fund Limited, Bart Schwartz. (jmi) (jmi). (Entered: 01/19/2011)
01/14/2011	3	MEMORANDUM OF LAW OF IRVING H. PICARD, TRUSTEE, IN ANSWER AND Opposition re: 1 MOTION NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM.. Document filed by Bernard L. Madoff Investment Securities LLC.. (jmi) (jmi). (Entered: 01/19/2011)
01/14/2011	4	REPLY MEMORANDUM OF LAW in Further Support re: 1 MOTION NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM. Document filed by Bart Schwartz. (jmi) (jmi). (Entered: 01/19/2011)
01/14/2011	5	DECLARATION of Lance Gotthoffer in Support re: 1 MOTION NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM. Document filed by Bart Schwartz. (jmi) (jmi). (Additional attachment(s) added on 1/25/2011: # 1 Declar) (jmi). (Additional attachment(s) added on 1/25/2011: # 2 Declar) (jmi). (Additional attachment(s) added on 1/25/2011: # 3 Declar, # 4 Declaration, # 5 Declaration, # 6 Declaration) (jmi). (Additional attachment(s) added on

		1/25/2011: # 7 Declar, # 8 Declaration, # 9 Declaration) (jmi). (Entered: 01/19/2011)
01/14/2011		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney James Craig McCarroll and Lance Gotthoffer for noncompliance with Section (14.3) of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document 2 Memorandum of Law in Support of Motion, 3 Memorandum of Law in Opposition to Motion, 4 Reply Memorandum of Law in Support of Motion, 5 Declaration in Support of Motion, 1 MOTION NOTICE OF MOTION OF BART M. SCHWARTZ, AS RECEIVER OF DEFENDANTS GABRIEL CAPITAL, L.P. AND ARIEL FUND LIMITED, FOR LEAVE TO APPEAL THE NOVEMBER 17, 2010 MEMORANDUM. to: miscfoley@nysd.uscourts.gov (jmi) (Entered: 01/20/2011)
02/08/2011	6	ENDORSED LETTER addressed to Judge Kimba M. Wood from David Parker dated 1/19/11 re: Request for leave to appeal with respect to the Bankruptcy Court's 546(e) ruling and that the Receiver's Motion for Leave is granted. ENDORSEMENT: Request (to participate on the merits of the appeal) denied at this time. Because the Kleinberg clients' request "to participate on the merits of the appeal" is contingent upon the Court's granting the Receiver's Motion for Leave to Appeal, the Court declines to entertain their request at this time. If the Court grants the Receiver's Motion, the Kleinberg clients may, at that time, and in accordance with the Court's Individual Rules of Practice, move for their requested relief. The Court declines to consider the instant letter in all other respects. (Signed by Judge Kimba M. Wood on 2/8/11) (cd) (Entered: 02/08/2011)
02/08/2011	7	ENDORSED LETTER addressed to Judge Kimba M. Wood from Marc Hirschfield dated 1/21/11 re: Request that the Kleinberg letter should be stricken from the file in this matter. ENDORSEMENT: Because the Court declines to consider, at this time, the Kleinberg letter, the Trustee shall not submit a response to the arguments set forth therein. (Signed by Judge Kimba M. Wood on 2/8/11) (cd) (Entered: 02/08/2011)
02/08/2011	8	NOTICE OF APPEARANCE by Casey Devin Laffey on behalf of Ariel Fund Limited, Bart Schwartz (Laffey, Casey) (Entered: 02/08/2011)

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