

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. 12-034123 (7)

P&S ASSOCIATES, GENERAL PARTNERSHIP,
a Florida limited partnership; S&P ASSOCIATES,
GENERAL PARTNERSHIP, a Florida limited
partnership; Philip von Kahle as Conservator of
P&S ASSOCIATES, GENERAL PARTNERSHIP,
a Florida limited partnership; and S&P
ASSOCIATES, GENERAL PARTNERSHIP, a
Florida limited partnership,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, an individual, ET AL.,

Defendants.

**ORDER OVERRULING IN PART OBJECTIONS TO
PLAINTIFFS' INTENT TO SERVE SUBPOENA *DUCES TECUM*
WITHOUT DEPOSITION OF IRVING H. PICARD, ESQ., SIPA TRUSTEE
FOR BERNARD L. MADOFF INVESTMENT SOLUTIONS**


THIS MATTER came before the Court on (i) Defendant Michael Bienes's Objection to Plaintiffs' Intent to Serve Subpoena *Duces Tecum* Without Deposition of Irving H. Picard, Esq., SIPA Trustee for Bernard L. Madoff Investment Solutions and (ii) Defendant Frank Avellino's Objection to Plaintiffs' Intent to Serve Subpoena *Duces Tecum* Without Deposition of Irving H. Picard, Esq., SIPA Trustee for Bernard L. Madoff Investment Solutions (collectively, the "Objections"). The Objections set forth Defendant Michael Bienes's and Defendant Frank Avellino's (collectively, "Defendants") objections to requests for documents contained within the Subpoena *Duces Tecum* Without Deposition of Irving H. Picard, Esq., SIPA Trustee for

Bernard L. Madoff Investment Solutions, dated July 18, 2014 (the "Subpoena"). The Court, having heard the Objections, having heard argument and proffer of counsel, being otherwise familiar with this case, and being otherwise duly advised in the premises, it is, hereby

ORDERED and **ADJUDGED** as follows:

1. The Objections are **OVERRULED** in part as follows.
2. The Objections are overruled with respect to requests 1 through 12 of the Subpoena, and the Subpoena may be issued with respect to requests 1 through 12 of the Subpoena.
3. The Court reserves ruling on the Objections with respect to requests 13 through 21 until the Court may further address them.
4. No later than September 2, 2014, Defendant shall submit to the Court any further support for their objections to requests 13 through 21 of the Subpoena. No later than September 11, 2014, Plaintiffs shall respond to any such submissions.

DONE AND ORDERED in Chambers this August 19, 2014



HONORABLE JEFFREY E. STREITFELD
Circuit Court Judge

Copies furnished to:

Leonard K. Samuels, Esq. who is directed to serve same upon interested parties.