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*Counsel for Gerard A. McHale, Jr., Chapter 11 Trustee  
and the IPofA Debtors and Debtors in Possession*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	Case No. 07-11448 (MG)
THE 1031 TAX GROUP, LLC, <i>et al.</i> , <sup>1</sup>	:	Jointly Administered
	:	
Debtors.	:	
	:	
-----X		
In re	:	
	:	Chapter 11
INVESTMENT PROPERTIES	:	Case No. 07-13621 (MG)
OF AMERICA, LLC, <i>et al.</i> , <sup>2</sup>	:	Jointly Administered
	:	
Debtors.	:	
	:	
-----X		
GERARD A. McHALE, JR.,	:	
	:	
Plaintiff,	:	
	:	
-v-	:	Adv. Pro. No. 08-01328 (MG)
	:	
DARIN BEANER, <i>et al.</i>	:	
	:	
Defendants.	:	
	:	
-----X		

<sup>1</sup> The 1031 Debtors are: The 1031 Tax Group, LLC; 1031 Advance 132 LLC; 1031 Advance, Inc.; 1031 TG Oak Harbor LLC; Atlantic Exchange Company, Inc.; Atlantic Exchange Company LLC; Investment Exchange Group, LLC (aka IXG); National Exchange Accommodators, LLC; National Exchange Services QI, Ltd.; NRC 1031, LLC; Real Estate Exchange Services, Inc.; Rutherford Investment LLC; Security 1031 Services, LLC; Shamrock Holdings Group, LLC; and AEC Exchange Company, LLC (collectively, the "1031 Debtors").

<sup>2</sup> The IPofA Debtors are: Investment Properties of America, LLC; 100 Corporate Drive, LLC; Crossroads Miami Logistics Center, LLC; CW Acquisition, LLC; IPofA 5201 Lender, LLC; IPofA Columbus Works LeaseCo, LLC; IPofA Shreveport Industrial Park, LLC; IPofA West 86<sup>th</sup> Street LeaseCo, LLC; Simone Condo I, LLC; Simone Condo II, LLC; Columbus Works Virginia Trust; and Parkway Virginia Trust. (collectively, the "IPofA Debtors").

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GERARD A. McHALE, JR.,	:	
	:	
Plaintiff,	:	
	:	
-v-	:	Adv. Pro. No. 08-01402 (MG)
	:	
JPS NH, LLC a/k/a JPS OKUN NH, LLC, <i>et al.</i>	:	
	:	
Defendants.	:	
-----X	:	
GERARD A. McHALE, JR.,	:	
	:	
Plaintiffs,	:	
	:	
-v-	:	Adv. Pro. No. 08-01604 (MG)
	:	
WACHOVIA BANK, NATIONAL	:	
ASSOCIATION, <i>et al.</i>	:	
	:	
Defendants.	:	
-----X	:	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON DECEMBER 15, 2008 at 2:00 P.M**

**A. UNCONTESTED MATTERS**

1. Motion for Entry of an Order Authorizing Dismissal of Chapter 11 Cases of 100 Corporate Drive, LLC and CW Acquisition, LLC Pursuant to 11 U.S.C. §§ 305(a)(1) and 1112(b) (IPofA Docket #258)

Response Deadline: December 11, 2008 at 4:00 p.m.

Responses Received: None.

**STATUS:** The Hearing on this Matter will be going forward.

**B. CONTESTED MATTERS**

1. Applications for Interim Professional Compensation for:
  - (i) Gerard A. McHale, Jr., Chapter 11 Trustee (1031 Docket #1379)
  - (ii) Golenbock Eiseman Assor Bell & Peskoe LLP, General Counsel to the Chapter 11 Trustee (1031 Docket #1380)

- (iii) Robert Davenport, Financial and Real Estate Consultant to the Chapter 11 Trustee (1031 Docket #1381)
- (iv) Deloitte Financial Advisory Services LLP, Financial Advisor to the Chapter 11 Trustee (1031 Docket #1383)
- (v) Johnson Pope Bokor Ruppel & Burns, LLP, Counsel to the Chapter 11 Trustee (1031 Docket #1385)
- (vi) Kaufman & Canoles, P.C., Special Virginia Counsel to the Chapter 11 Trustee (1031 Docket #1386)
- (vii) Olshan Grundman Frome Rosenzweig & Wolosky LLP, Special Litigation Counsel to the Debtor (1031 Docket #1387)
- (viii) Rivero Gordimer & Company, P.A., Management Consultant to the Chapter 11 Trustee (1031 Docket #1388)
- (ix) Greenberg Traurig, LLP, Creditor Committee's Counsel (1031 Docket # 1390)
- (x) Huron Consulting Services, LLC (1031 Docket #1395)

Response Deadline: December 11, 2008 at 4:00 p.m.

- i. Response in Opposition of David C. Martin (Not filed on ECF as of this date).
- ii. Objecting Exchangers Objection to Interim Fee Applications Set for Hearing on December 15, 2008 (1031 Docket # 1415).
- iii. Response of the United States Trustee to Fee Applications (1031 Docket # 1414).
- iv. Informal Objection of Chapter 11 Trustee to Greenberg Traurig, LLP's and Huron Consulting Services, LLC's Applications. Trustee will be filing a letter documenting resolution of his informal objections prior to the Hearing.
- v. Objection of the Official Committee of Unsecured Creditors to Pending Professional Fee Applications (1031 Docket # 1419)

**STATUS:** The Hearing on these Matters will be going forward.

**C. ADVERSARY PROCEEDINGS**

1. Motion to Dismiss Claims Against Defendant JPS NH, LLC & Defendant NH Aaron Road, LLC (McHale v. JPS NH, LLC, et al. Adv. Pro. No. 08-01402 Docket #16) **(This matter has been rescheduled from December 16, 2008 at 10:00 a.m. to December 15, 2008 at 2:00 p.m.)**

Response Deadline: December 5, 2008 at 4:00 p.m.

Responses Received: Memorandum of Law in Opposition to JPS Defendants' Motion to Dismiss, filed on December 8, 2008 by the Plaintiff (McHale v. JPS NH, LLC, et al. Docket #44)

**STATUS:** This Matter will be going forward.

2. Gerard A. Mchale, Jr. v. Darin Beaner, et al. Pretrial Conference; Adversary Proceeding No. 08-1328 (MG) **(This matter has been rescheduled from December 16, 2008 at 10:00 a.m. to December 15, 2008 at 2:00 p.m.)**

Response Deadline: N/A

Responses Received: N/A

**STATUS:** This Matter will be going forward.

3. Gerard A. Mchale, Jr. v. Wachovia Bank, National Association, et al. Pretrial Conference; Adversary Proceeding No. 08-1604 (MG) **(This matter has been rescheduled from December 16, 2008 at 10:00 a.m. to December 15, 2008 at 2:00 p.m.)**

Response Deadline: N/A

Responses Received: N/A

**STATUS:** This Matter will be going forward.

New York, New York  
December 11, 2008

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& PESKOE LLP  
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By: /s/ Jonathan L. Flaxer  
Jonathan L. Flaxer, Esq.