

AMERICAN ARBITRATION ASSOCIATION

In the Matter of the Arbitration between:

Re: 01-14-0001-6896

VIOLET SHUKER SHASHA LIVING TRUST, JUDITH JACOBSON, ADLER FAMILY TRUST, EMPIRE STATE LIQUIDITY FUND LLC, EDELMAN FAMILY DECEDENT'S TRUST, 2006 GILBERT M. EDELMAN INTER VIVO TRUST, ROBERT A. MACHLEDER, MELVYN H. HALPER, PHYLLIS J. HALPER, WENDY S. TAMIS, ALAN D. GORDON, and MARY JANE FALES ("Claimants"),

and

PETER L. MALKIN, ANTHOHY E. MALKIN, THOMAS N. KELTNER, JR., and MALKIN HOLDINGS, LLC ("Respondents").

ORDER

AND NOW, this 30th day of January 2016, upon consideration of the briefs, letter briefs, e-mails and other submissions regarding respondent on the counterclaim Richard Edelman's objections to the American Arbitration Association's jurisdiction in this arbitration and after canceling the oral argument that had been scheduled for January 15, 2016 at 2:30 PM, it is hereby **ORDERED** that Richard Edelman's objections to the American Arbitration Association's jurisdiction in this arbitration are hereby **SUSTAINED**. It is further **ORDERED** that all counterclaims in this arbitration against Richard Edelman are hereby **DISMISSED WITHOUT PREJUDICE**, for lack of arbitrability.

FOR THE PANEL:

/s/ Charles F. Forer

CHARLES F. FORER, Arbitrator Chairperson