UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Adv. Pro. No. 08-1789 (BRL)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendants.

In re BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Debtor.

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

Plaintiff,

v.

11 Civ.

LEGACY CAPITAL LTD., ISAAC JIMMY
MAYER, RAFAEL MAYER, DAVID MAYER,
KHRONOS LLC, KHRONOS CAPITAL
RESEARCH LLC, BNP PARIBAS SECURITIES
CORP., HCH MANAGEMENT COMPANY LTD.,
MONTPELLIER RESOURCES LTD.,
INVERSIONES COQUE S.A., AURORA
RESOURCES LTD., and OLYMPUS ASSETS LDC,

Defendants.

Adv. Pro. No. 10-05286 (BRL)

11 Civ. 07764 (JSR) 11 Civ. 07765 (JSR)

DECLARATION OF OREN J. WARSHAVSKY, PURSUANT TO 28 U.S.C. § 1746, IN SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTIONS TO WITHDRAW THE REFERENCE

Pursuant to 28 U.S.C. § 1746, OREN J. WARSHAVSKY hereby declares as follows:

I am a partner at the firm of Baker & Hostetler LLP, counsel for Plaintiff Irving H. Picard (the "Trustee") for the substantively consolidated liquidation proceeding of Bernard L. Madoff

Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa et

seq., and the estate of Bernard L. Madoff. As an attorney of record, I am fully familiar with this

case and the facts set forth herein. I respectfully submit this Declaration to place before this

Court true and correct copies of certain documents relevant to the Trustee's memorandum of law

in opposition to the defendants' Motions to Withdraw the Reference filed in the following action:

Picard v. Legacy Capital Ltd., et al., Adv. Pro. No. 10-05286 (Bankr. S.D.N.Y.) (BRL), No. 11

Civ. 07764, No. 11 Civ. 07765 (JSR) (S.D.N.Y.) (ECF No. 1).

1. Attached hereto as Exhibit 1 is a true and correct copy of the complaint which the

Trustee filed against the defendants in the above-captioned action.

2. Attached hereto as Exhibit 2 is a true and correct copy of the Stipulation, *Picard*

v. Legacy Capital Ltd., et al., Adv. Pro. No. 10-05286 (Bankr. S.D.N.Y. October 28, 2011) (ECF

No. 45).

I declare under penalty of perjury that the foregoing is true and correct. Executed on

February 24, 2012.

/s/ Oren J. Warshavsky
Oren J. Warshavsky

EXHIBIT 1

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111 Telephone: 212.589.4200 Facsimile: 212.589.4201

David J. Sheehan Oren J. Warshavsky Timothy S. Pfeifer Keith R. Murphy Marc Skapof Marco Molina

and Bernard L. Madoff,

Plaintiff,

Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK	
SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Case No. 08-01789 (BRL) SIPA LIQUIDATION (Substantively Consolidated)
In re:	
BERNARD L. MADOFF,	
Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC	Adv. Pro. No. 10(BRL)

LEGACY CAPITAL LTD., ISAAC JIMMY MAYER, RAFAEL MAYER, DAVID MAYER, KHRONOS LLC, KHRONOS CAPITAL RESEARCH LLC, BNP PARIBAS SECURITIES CORP., HCH MANAGEMENT COMPANY LTD., MONTPELLIER RESOURCES LTD., INVERSIONES COQUE S.A., AURORA RESOURCES LTD., and OLYMPUS ASSETS LDC,

Defendants.

Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS"), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. ("SIPA")¹ and the substantively consolidated estate of Bernard L. Madoff ("Madoff"), by his undersigned counsel, for his Complaint, alleges as follows:

INTRODUCTION

- 1. In early December 2008, BLMIS generated client account statements for its approximately 4,900 open accounts at BLMIS. When added together, these statements purportedly showed that clients of BLMIS had approximately \$65 billion invested with BLMIS. In reality, BLMIS had assets on hand worth a small fraction of that amount. On March 12, 2009, Madoff admitted to masterminding a Ponzi scheme and pled guilty to 11 felony counts. Madoff was sentenced on June 29, 2009 to 150 years in prison.
- 2. Legacy Capital Ltd. ("Legacy Capital"), Isaac Jimmy Mayer ("Jimmy Mayer"), Rafael Mayer, David Mayer, Khronos LLC ("Khronos"), Khronos Capital Research LLC ("Khronos Capital Research"), BNP Paribas Securities Corp. ("BNP Paribas"), HCH Management Company Ltd. ("HCH"), Montpellier Resources Ltd. ("Montpellier"), Inversiones

¹ Future references to "SIPA" will not include "15 U.S.C."

- Coque S.A. ("Inversiones"), Aurora Resources Ltd. ("Aurora"), and Olympus Assets LDC ("Olympus") (together, the "Defendants"), all profited from the Ponzi scheme masterminded by Madoff.
- 3. In the early 1990s, Jimmy Mayer and his two sons Rafael Mayer and David Mayer (together, the "Mayers") gained access to Madoff and BLMIS. From 1992 until 2000, the Mayers exploited their access to BLMIS by opening multiple direct BLMIS accounts (1FR055, 1FN027, 1FN047, 1FN067, and 1FR034, collectively, the "Pre-Legacy Accounts"). The Pre-Legacy Accounts belonged to investment companies owned and/or controlled by the Mayers: HCH, Montpellier, Inversiones, Aurora, and Olympus, (collectively, the "Pre-Legacy Accountholder Defendants").
- 4. The Pre-Legacy Accounts received a total of at least \$2,377,614 from BLMIS under circumstances that put the Pre-Legacy Accountholder Defendants and the Mayers on actual or inquiry notice of fraud at BLMIS. Approximately \$702,786 of this amount represents fraudulent payments of fictitious profits from the Ponzi scheme
- 5. Despite being on notice of many indicia of fraud at BLMIS for over eight years, the Mayers ultimately collapsed the Pre-Legacy Accounts into account number 1FR071 (the "Legacy Capital Account"), which was held by the Mayers' consolidated feeder fund, Defendant Legacy Capital. On September 26, 2000, the Mayers rolled over the balances in the HCH and Montpellier BLMIS accounts, approximately \$40 million, into the Legacy Capital Account to kickstart what would become their most profitable investment vehicle into BLMIS.

- 6. From its creation in 2000 until December 11, 2008 (the "Filing Date"), Legacy Capital received at least \$255,817,626 from BLMIS through the Legacy Capital Account. Approximately \$89,306,362 of this amount represents fraudulent payments of fictitious profits from the Ponzi scheme. At all relevant times, the Mayers were the ultimate beneficiaries of Legacy Capital.
- 7. Throughout their investment relationship with Madoff, the Mayers never conducted any independent, meaningful, or reasonable due diligence on their BLMIS investments. Rather, they created new vehicles into BLMIS to further enrich themselves. The Mayers also employed the services of companies they owned and/or controlled, such as Khronos and Khronos Capital Research (the "Khronos Defendants"), to service their BLMIS investments.
- 8. Even after a Legacy Capital indirect investor confronted the Mayers with evidence indicating BLMIS was a fraud, the Mayers and the Khronos Defendants continued feeding funds into BLMIS. As the warning signs emanating out of BLMIS increased, the Mayers and the Khronos Defendants undertook to limit their exposure by handing over control and oversight of their Legacy Capital Account to BNP Paribas in 2004. For the next four years, Legacy Capital received approximately \$175 million of fraudulent transfers of Customer Property, to the detriment of BLMIS's customers.
- 9. The Mayers and the Khronos Defendants purported to provide services to Legacy Capital but, on information and belief, delegated all of their duties and responsibilities concerning the Legacy Capital Account to BLMIS and Madoff. Still, the Mayers and the Khronos Defendants received substantial fees and commissions for their purported "services."

² In this case, the Filing Date is the date on which the SEC commenced its suit against BLMIS, December 11, 2008, which resulted in the appointment of a receiver for the firm. See SIPA § 78*lll*(7)(B).

On information and belief, a portion, if not all, of the fees and commissions consisted of Customer Property.³ Also, as beneficial owners of Legacy Capital and the Pre-Legacy Accountholder Defendants, the Mayers, on information and belief, received subsequent transfers of Customer Property from their investors.

- BNP Paribas also profited from the Legacy Capital Account. On July 26, 2004, BNP Paribas assumed control of the Legacy Capital Account. At all times since, BNP Paribas provided various managerial and administrative services for the Legacy Capital Account. BNP Paribas also entered into a security agreement with Legacy Capital under which it undertook to safeguard the funds in the Legacy Capital Account. On information and belief, BNP Paribas delegated its custodial duties under the security agreement to Madoff and BLMIS. Also on information and belief, BNP Paribas delegated its managerial duties to BLMIS as to the Legacy Capital Account. At all relevant times, BNP Paribas was on actual or inquiry notice of fraud at BLMIS but never inquired further or conducted any independent, meaningful, or reasonable due diligence. Still, on information and belief, BNP Paribas received millions of dollars in fees, which consisted partially, if not entirely, of Customer Property.
- 11. This adversary proceeding is brought under sections 78fff(b), 78fff-1(a) and 78fff-2(c)(3) of SIPA, sections 105(a), 544, 548(a), 550(a), and 551 of title 11 of the United States Code (the "Bankruptcy Code"), 203(g) and 213(8) of the N.Y. Civil Practice Law and Rules ("CPLR"), the New York Fraudulent Conveyance Act (New York Debtor and Creditor Law §§ 270 et seq. ("N.Y. DCL")) and other applicable law, for avoidance and recovery of preferential and fraudulent transfers.

³ SIPA § 78*lll*(4) defines "Customer Property" as "cash and securities . . . at any time received, acquired, or held by or for the account of a debtor from or for the securities accounts of a customer, and the proceeds of any such property transferred by the debtor, including property unlawfully converted."

12. The Trustee brings this and similar actions to recover moneys paid to or for the benefit of BLMIS's customers, including monies that were subsequently transferred to other entities, for distribution purposes in accordance with SIPA § 78fff-2(c)(1).

JURISDICTION AND VENUE

- 13. This is an adversary proceeding commenced before the same Court before which the main underlying SIPA proceeding, No. 08-01789 (BRL) (the "SIPA Proceeding"), is pending. The SIPA Proceeding was originally brought in the United States District Court for the Southern District of New York as Securities Exchange Commission v. Bernard L. Madoff Investment Securities LLC et al., No. 08 CV 10791 (the "District Court Proceeding") and has been referred to this Court. This Court has jurisdiction over this adversary proceeding under 28 U.S.C. § 1334(b) and 15 U.S.C. §§ 78eee(b)(2)(A) and (b)(4).
 - 14. This is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (H), and (O).
 - 15. Venue in this district is proper under 28 U.S.C. § 1409.

BACKGROUND

- 16. On the Filing Date, Madoff was arrested by federal agents for violation of the criminal securities laws, including, inter alia, securities fraud, investment adviser fraud, and mail and wire fraud. Contemporaneously, the Securities and Exchange Commission ("SEC") filed a complaint in the District Court which commenced the District Court Proceeding against Madoff and BLMIS. The District Court Proceeding remains pending. The SEC complaint alleged that Madoff and BLMIS engaged in fraud through the investment adviser activities of BLMIS.
- 17. On December 12, 2008, The Honorable Louis L. Stanton of the District Court entered an order, appointing Lee S. Richards, Esq. (the "Receiver") as receiver for the assets of BLMIS.

- 18. On December 15, 2008, under section 78eee(a)(4)(A) of SIPA, the SEC consented to a combination of its own action with an application of SIPC. Thereafter, under section 78eee(a)(4)(B) of SIPA, SIPC filed an application in the District Court alleging, inter alia, that BLMIS was not able to meet its obligations to securities customers as they came due and, accordingly, its customers needed the protections afforded by SIPA.
- 19. Also on December 15, 2008, Judge Stanton granted the SIPC application and entered an order under SIPA (the "Protective Decree"), which, in pertinent part:
 - a. appointed the Trustee for the liquidation of the business of BLMIS under section 78eee(b)(3) of SIPA;
 - b. appointed Baker & Hostetler LLP as counsel to the Trustee under section 78eee(b)(3) of SIPA; and
 - c. removed the case to this Bankruptcy Court under section 78eee(b)(4) of SIPA.

By this Protective Decree, the Receiver was removed as Receiver for BLMIS.

- 20. By orders dated December 23, 2008 and February 4, 2009, respectively, the Bankruptcy Court approved the Trustee's bond and found that the Trustee was a disinterested person. Accordingly, the Trustee is duly qualified to serve and act on behalf of the estate of BLMIS.
- 21. At a Plea Hearing (the "Plea Hearing") on March 12, 2009, in the case captioned United States v. Madoff, No. 09-CR-213 (DC) (S.D.N.Y. March 12, 2009) (Docket No. 50), Madoff pled guilty to an eleven-count criminal information filed against him by the United States Attorney's Office for the Southern District of New York. At the Plea Hearing, Madoff admitted that he "operated a Ponzi scheme through the investment advisory side of [BLMIS]." Id. at 23. Additionally, Madoff asserted "[a]s I engaged in my fraud, I knew what I was doing

[was] wrong, indeed criminal." <u>Id.</u> Madoff was sentenced on June 29, 2009 to 150 years in prison.

22. On August 11, 2009, a former BLMIS employee, Frank DiPascali ("DiPascali"), pled guilty to participating and conspiring to perpetuate the Ponzi scheme. At a Plea Hearing on August 11, 2009 in the case entitled <u>United States v. DiPascali</u>, No. 09-CR-764 (RJS) No. 09-CR-764 (RJS) (S.D.N.Y. Aug. 11, 2009) (Docket No. 11), DiPascali pled guilty to a ten-count criminal information. Among other things, DiPascali admitted that the scheme had begun at BLMIS at least as early as the 1980s. <u>Id.</u> at 46.

THE TRUSTEE'S POWER AND STANDING

- 23. As the Trustee appointed under SIPA, the Trustee is charged with recovering and paying out Customer Property to BLMIS's customers, assessing claims, and liquidating any other assets of the firm for the benefit of the estate and its creditors. The Trustee is in the process of marshalling BLMIS's assets, and this liquidation is well underway. However, the estate's present assets will not be sufficient to reimburse the customers of BLMIS for the billions of dollars that they invested with BLMIS over the years. Consequently, the Trustee must use his authority under SIPA and the Bankruptcy Code to pursue recovery from customers who received preferences and fraudulent transfers to the detriment of other defrauded customers whose money was consumed by the Ponzi scheme. Absent this and other recovery actions, the Trustee will be unable to satisfy the claims described in subparagraphs (A) through (D) of SIPA section 78fff-2(c)(1).
- 24. Under SIPA section 78fff-1(a), the Trustee has the general powers of a bankruptcy trustee in a case under the Bankruptcy Code in addition to the powers granted by

SIPA under SIPA section 78fff-1(b). Chapters 1, 3, 5, and Subchapters I and II of chapter 7 of the Bankruptcy Code apply to this case to the extent consistent with SIPA.

- 25. Under SIPA sections 78fff(b) and 78*lll*(7)(B), the Filing Date is deemed to be the date of the filing of the petition within the meanings of section 548 of the Bankruptcy Code and the date of commencement of the case within the meaning of section 544 of the Bankruptcy Code.
- 26. The Trustee has standing to bring these claims under section 78fff-1(a) of SIPA and the Bankruptcy Code, including sections 323(b) and 704(a)(1), because, among other reasons:
 - a. the Defendants received Customer Property;
 - b. BLMIS incurred losses as a result of the claims set forth herein;
 - c. BLMIS's customers were injured as a result of the conduct detailed herein;
 - d. SIPC has not reimbursed, and statutorily cannot fully reimburse, all customers for all of their losses;
 - e. the Trustee will not be able to fully satisfy all claims;
 - f. the Trustee, as bailee of Customer Property, can sue on behalf of the customer bailors:
 - g. the Trustee is the assignee of claims paid, and to be paid, to customers of BLMIS who have filed claims in the liquidation proceeding (such claimfiling customers, collectively, "Accountholders"). As of the date hereof, the Trustee has received multiple express unconditional assignments of the applicable Accountholders' causes of action, which actions could have been asserted against Defendants. As assignee, the Trustee stands in the shoes of persons who have suffered injury in fact and a distinct and palpable loss for which the Trustee is entitled to reimbursement in the form of monetary damages. The Trustee brings this action on behalf of, among others, those defrauded customers of BLMIS who invested more money in BLMIS than they withdrew; and

- h. SIPC is the subrogee of claims paid, and to be paid, to customers of BLMIS who have filed claims in the liquidation proceeding. SIPC has expressly conferred upon the Trustee enforcement of its rights of subrogation with respect to payments it has made and is making to customers of BLMIS from SIPC funds.
- i. the Trustee has the power and authority to avoid and recover transfers pursuant to §§ 544, 548, 550(a), and 551 of the Bankruptcy Code and SIPA §§ 78fff-1(a) and 78fff-2(c)(3).

DEFENDANTS

- 27. Legacy Capital is a company formed under the laws of the British Virgin Islands on March 18, 1999. Its principal place of business is Omar Hodge Building, 2nd Floor, Wickham's Cay, P.O. Box 956, Road Town, Tortola VG1110, British Virgin Islands. Legacy Capital held a BLMIS Account under the name "Legacy Capital" with the account address reported as 129 Front Street, Hamilton HM12, Bermuda.
- 28. Jimmy Mayer is the beneficial owner of Legacy Capital and transacted business through Legacy Capital and/or authorized, directed, and/or managed the Legacy Capital Account. On information and belief, Jimmy Mayer is a Colombian citizen and maintains his primary residence in Florida.
- 29. Rafael Mayer is the Director, Chairman, co-manager and co-founder of Khronos.

 Rafael Mayer is also the co-manager and co-founder of Khronos Capital Research. On information and belief, Rafael Mayer is a U.S. citizen and maintains his primary residence in New York, New York.
- 30. David Mayer is the Director, co-manager, and co-founder of Khronos. David Mayer is also the co-manager and co-founder of Khronos Capital Research. On information and belief, David Mayer is a U.S. citizen and maintains his primary residence in New York, New York.

- 31. Khronos is a company formed under the laws of the state of New York in 1995. Its principal place of business is Two Grand Central Tower, 140 E. 45th Street, 28th Floor, New York, NY 10017. On information and belief, the Mayers own, manage, and operate Defendant Khronos. Khronos is a \$2 billion fund of funds that purported to provide managerial and administrative services to Legacy Capital and the Pre-Legacy Accountholder Defendants.
- 32. Khronos Capital Research is a company formed under the laws of the state of New York on August 20, 1999. Its principal place of business is 800 Third Avenue, 33rd Floor, New York, NY 10022. On information and belief, the Mayers, own, manage, and operate Khronos Capital Research. Khronos Capital Research purports to provide technological services to the Mayer funds.
- 33. BNP Paribas is a company formed under the laws of the state of Delaware on September 7, 1984. Its principal place of business is 787 Seventh Ave., New York, NY 10019.
- 34. HCH is a foreign company formed under the laws of the British Virgin Islands on May 30, 1996. Its principal place of business is Third Floor, Harbour Centre, P.O. Box 1348, George Town, Grand Cayman, Cayman Islands.
- 35. Montpellier, d/b/a Khronos Group Ltd., is a foreign company formed under the laws of the British Virgin Islands on June 27, 1990. Its principal place of business is Canon's Court, 22 Victoria Street, Hamilton, HM EX Bermuda. On or about September 15, 1997, Montpellier assigned all the assets in the Montpellier BLMIS Account to its wholly owned subsidiary Montpellier International LDC. Montpellier International LDC was incorporated on June 10, 1997. Montpellier International LDC's principal place of business is Harbour Chambers 3rd Floor, Harbour Ctr PO Box 1348, George Town, Grand Cayman, Cayman Island.

At all relevant times, Montpellier and the Mayers managed and controlled account number 1FN027.

- 36. Inversiones is a foreign company formed under the laws of Panama on January 28, 1976. Its principal place of business is the Bank of America Building, 50th Street, P.O. Box 6307, Panama, Republic of Panama.
- 37. Aurora is a foreign company formed under the laws of the British Virgin Islands on October 20, 1994. Its principal place of business is The Tropic Isle Building, Wickham's Cay, P.O. Box 438, Road Town, Tortola, British Virgin Islands.
- 38. Olympus is a foreign company formed under the laws of the Cayman Islands on November 27, 1997. Its principal place of business is located at Third Floor, Harbour Centre, P.O. Box 1348, George Town, Grand Cayman, Cayman Islands.
- 39. This Court has personal jurisdiction over all Defendants under N.Y. CPLR 301 and 302 and Bankruptcy Rule 7004. All Defendants have maintained minimum contacts with New York in connection with the claims alleged herein. The Mayers directed the creation of the Pre-Legacy Accounts in New York. The Pre-Legacy Accounts contained Customer, Trading Authorization, and Options Agreements ("Account Agreements") between BLMIS and the Defendants who held accounts with BLMIS, all of which were transacted in the state of New York. The Account Agreements were to be performed in New York, New York through securities trading activities that would take place in New York, New York. The Account Agreements for Montpellier and Inversiones were subject to the laws of New York.
- 40. The Mayers also directed the creation of the Legacy Capital Account in New York and directed Legacy Capital to execute its Account Agreements with BLMIS on September 26, 2000. Legacy Capital's Account Agreements were entered into in the State of New York and

were to be construed, and the rights and liabilities of the parties determined, in accordance with the laws of the State of New York.

- 41. The Mayers, the Khronos Defendants, and BNP Paribas serviced the Legacy Capital Account and the Pre-Legacy Capital BLMIS Accounts with BLMIS in New York.
- 42. All Defendants, among other things, conducted business in New York, transacted business in New York, entered into agreements in New York, delivered agreements to BLMIS headquarters in New York, communicated regularly with persons in New York, and sent/received funds to/from BLMIS in New York. Moreover, Legacy Capital, HCH, Montpellier, Inversiones, Olympus, and Aurora wired funds to BLMIS's account at JPMorgan Chase, Account #xxxxxxxxxxxx1703 (the "703 Account"), in New York, New York, for application to their accounts at BLMIS and for the conducting of trading activities.

THE PONZI SCHEME

- 43. BLMIS was founded in 1959 by Madoff and, for most of its existence, operated from its principal place of business at 885 Third Avenue, New York, New York. Madoff, as founder, chairman, chief executive officer, and sole owner, operated BLMIS together with several of his friends and family members. BLMIS was registered with the SEC as a securities broker-dealer under Section 15(b) of the Securities Exchange Act of 1934 (the "1934 Act"), SIPA § 780(b). By virtue of that registration, BLMIS was a member of SIPC. BLMIS had three business units: the Investment Advisory ("IA") Business, market-making, and proprietary trading.
- 44. Outwardly, Madoff ascribed the consistent success of the IA Business to his so-called "split-strike conversion" strategy ("SSC Strategy"). Under that strategy, Madoff purported to invest BLMIS customers' funds in a basket of common stocks within the S&P 100

Index—a collection of the 100 largest publicly traded companies. Madoff claimed that his basket of stocks would mimic the movement of the S&P 100 Index. He also asserted that he would carefully time purchases and sales to maximize value, and correspondingly, BLMIS customers' funds would, intermittently, be out of the equity markets. While out of the market, those funds were purportedly invested in United States Treasury bills or in mutual funds holding Treasury bills. The second part of the SSC Strategy was the hedge of Madoff's stock purchases with option contracts. Those option contracts functioned as a "collar," limiting both the potential gains and the potential losses on the basket of stocks. Madoff purported to use proceeds from the sale of one option contract to finance the cost of purchasing another. Madoff told BLMIS customers that when he exited the market he would close out all equity and option positions, and invest all the resulting cash in United States Treasury bills or in mutual funds holding Treasury bills. Madoff also told IA Business customers, including the Defendants named herein, that these "round-trips" into the market would occur between four and ten times each year.

- 45. BLMIS's IA Business customers received fabricated monthly or quarterly statements showing that securities were held in, or had been traded through, their accounts. The securities purchases and sales shown in such account statements never occurred, and the profits reported were entirely fictitious. At the Plea Hearing, Madoff admitted that he never purchased any of the securities he claimed to have purchased for the IA Business's customer accounts. In fact, there is no record of BLMIS having cleared a <u>single purchase or sale</u> of securities in connection with the SSC Strategy on any trading platform on which BLMIS reasonably could have traded securities. Madoff's SSC Strategy was entirely fictitious.
- 46. Prior to his arrest, Madoff assured customers and regulators that he purchased and sold the put and call options over-the-counter rather than through an exchange. Yet, like the

underlying securities, the Trustee has yet to uncover any evidence that Madoff ever purchased or sold <u>any</u> of the options described in customer statements. The Options Clearing Corporation, which clears all option contracts based upon the stocks of S&P 100 companies, has no record of the IA Business having bought or sold <u>any</u> exchange-listed options on behalf of any of IA Business customers.

- 47. For all periods relevant hereto, the IA Business was operated as a Ponzi scheme. The money received from investors was not invested in stocks and options. Rather BLMIS used its IA Business customers' deposits to pay withdrawals and to make other avoidable transfers. Madoff also used his customers' investments to enrich himself, his associates, and his family.
- 48. The falsified monthly account statements reported that the accounts of IA Business customers had made substantial gains, but, in reality, due to the siphoning and diversion of new investments to pay requests for payments or withdrawals from other BLMIS accountholders, BLMIS did not have the funds to pay investors on account of their new investments. BLMIS was only able to survive for as long as it did by using the stolen principal invested by customers to pay other customers.
- 49. It was essential for BLMIS to honor requests for payments in accordance with the falsely inflated account statements, because failure to do so could promptly have resulted in demand, investigation, the filing of a claim, and disclosure of the fraud. The payments were necessary to validate the false account statements, and were made to avoid detection of the fraud, to retain existing investors, and to lure other investors into the Ponzi scheme. Each payment constituted an intentional misrepresentation of fact regarding the underlying account and was an integral and essential part of the fraud.

- 50. Thus, at all times relevant hereto, the liabilities of BLMIS were billions of dollars greater than its assets. BLMIS was insolvent in that: (i) its assets were worth less than the value of its liabilities; (ii) it could not meet its obligations as they came due; and (iii) at the time of the transfers, BLMIS was left with insufficient capital.
- 51. Madoff's scheme continued until December 2008, when the requests for withdrawals overwhelmed the flow of new investments and caused the inevitable collapse of the Ponzi scheme.

THE MAYERS AND THE KHRONOS DEFENDANTS

- 52. The Mayers were on actual or inquiry notice of fraud at BLMIS since 1992. Their creation and management of at least six BLMIS accounts exposed them to countless red flags signaling irregular and improper trading activity at BLMIS. As sophisticated financial professionals who received fees for their purported services to the Legacy Capital Account and the Pre-Legacy Accounts, the Mayers and the Khronos Defendants either knew or should have known BLMIS was engaged in fraudulent activities which they disregarded.
- 53. The Mayers profited from the Ponzi scheme in several ways. They created and controlled Legacy Capital and the Pre-Legacy Accountholder Defendants. The Mayers solicited investors to fund these BLMIS accounts. The Pre-Legacy Capital Accounts and the Legacy Capital Account itself received hundreds of millions of dollars from 1992 until the Filing Date in fraudulent transfers of Customer Property from BLMIS. The Mayers, through these companies, undertook to subsequently transfer this Customer Property to themselves and to the Khronos Defendants. The Mayers also personally received fees and other compensation in their respective roles at the Khronos Defendants.

54. The Mayers and the Khronos Defendants continued to open multiple direct BLMIS accounts, even after they were confronted by investors with evidence to suspect that BLMIS was likely a fraud. Nonetheless, the Mayers and the Khronos Defendants never conducted any meaningful, reasonable, or adequate due diligence on Madoff and BLMIS.

THE MAYER DEFENDANTS RECEIVED FICTITIOUS PROFITS PRIOR TO THE CREATION OF THE LEGACY CAPITAL ACCOUNT

Cohmad Gave the Mayers Access to Madoff

- 55. The Mayers had unique access to Madoff and BLMIS through Maurice (Sonny) Cohn ("Cohn") and Cohmad Securities Corporation ("Cohmad"). Cohmad is a New York company that was integral in perpetuating and sustaining Madoff's Ponzi scheme. Cohmad was formed by Madoff and his close personal friend, Cohn. Cohn operated Cohmad as a way to enrich himself by selling access to Madoff and BLMIS. Cohmad is responsible for the referral of hundreds of BLMIS direct accounts.⁴
- 56. Despite the fact that they were separate companies, the connections between Cohmad and BLMIS were so pervasive that they acted in many respects as interconnected arms of the same enterprise. Cohmad a name fashioned out of the first three letters of the names "Cohn" and "Madoff" maintained its New York offices entirely within BLMIS's premises.
- 57. The Mayers' access to Madoff resulted in a close working relationship that allowed the Mayers to create multiple BLMIS accounts and, in turn, employ the services of their own companies to further profit off of those accounts. In return, the Mayers solicited investors to fund the BLMIS accounts and willingly looked the other way when faced with indicia of fraudulent activity at BLMIS.

⁴ The Trustee is pursuing litigation against Cohn and Cohmad in a separate action. <u>Picard v. Cohmad Securities Corp. et al.</u>, No. 08-01789 (BRL) (Bankr. S.D.N.Y June 22, 2009).

The Profitable Pre-Legacy Accounts

- 58. Cohn and Cohmad brokered the Pre-Legacy Capital Accounts. All the Pre-Legacy Capital Accounts received factitious profits.
- 59. At all relevant times, the Mayers controlled and managed the Pre-Legacy Accountholder Defendants and their respective BLMIS Accounts. On information and belief, the Mayers, at all relevant times, delegated all investment management responsibilities to Madoff and BLMIS. Also on information and belief, the Mayers received fees and commissions for their purported services to the Pre-Legacy Capital Accounts. A portion, if not all, of these fees and commissions consisted of Customer Property.
- 60. Khronos purported to provide services to the Pre-Legacy Capital Accountholder Defendants. On information and belief, Khronos Capital Research purported to provide services to the HCH and Montpellier BLMIS accounts. The Khronos Defendants received fees and commissions for these services. A portion, if not all, of these fees consisted of Customer Property.
- As alleged fully herein, the Pre-Legacy Accountholder Defendants and the Mayers were on actual or inquiry notice of fraud as to their investments with BLMIS. These red flags ranged from structural concerns in connection with BLMIS to hundreds of empirical anomalies found on the BLMIS trade confirmations available to each of these defendants. Yet the Mayers and the Khronos Defendants failed to inquire further.
- 62. On information and belief, the Mayers and the Khronos Defendants were responsible for conducting adequate, reasonable, or meaningful oversight on BLMIS and Madoff on behalf of the Pre-Legacy Accountholder Defendants, but did not.

- 63. All the Pre-Legacy Capital Accounts received fictitious profits. The Montpellier BLMIS account (1FN027) was the first account to be created of at least five Pre-Legacy Capital Accounts created and managed by the Mayers. It closed on September 26, 2000 having received \$283,901 of fraudulent transfers from BLMIS, including \$7,124 in fictitious profits. The Inversiones BLMIS account (1FN047) was created on December 14, 1992 and closed on August 1997. Inversiones received fraudulent transfers of Customer Property totaling \$1,497,354 including \$687,354 in fictitious profits. The Mayers next created the Aurora BLMIS account (1FN067) on December 9, 1994. The Aurora BLMIS account closed on September 30, 1997 after receiving \$548,450 of fraudulent transfers of Customer Property, including \$110 in fictitious profits. On December 30, 1997 the Mayers created the Olympus BLMIS account (1FR034). The Olympus BLMIS account received \$9,860 of fraudulent transfers from BLMIS, including \$103 in fictitious profits, and closed on July 1, 1999. On July 1, 1999, the Mayers opened the HCH BLMIS account (1FR055), which received \$32,006 of fraudulent transfers of Customer Property including \$8,095 in fictitious profits.
- 64. The profitable Pre-Legacy Capital Accounts enriched the Mayers and the Khronos Defendants. These accounts paved the way for the creation of the Legacy Capital Account, which received approximately \$90 million of fictitious profits over its lifetime.

THE CREATION OF THE LEGACY CAPITAL ACCOUNT

- 65. After nearly a decade of exploiting their unique access to BLMIS through Cohmad, the Mayers and the Khronos Defendants sought to further enrich themselves.
- 66. For years, the Mayers and the Khronos Defendants deposited and withdrew their investors' money in and out of the Pre-Legacy Capital Accounts they controlled. On or about September 26, 2000, the Mayers rolled over the balances in the HCH and Montpellier BLMIS

accounts (\$39,837,035) into the newly created Legacy Capital Account. These transfers funded what would become Legacy Capital, the Mayers' most profitable BLMIS feeder fund.

- 67. The Mayers and the Pre-Legacy Accountholder Defendants continued to expose their investors to BLMIS indirectly through Legacy Capital. HCH and Montpellier, for instance, continued to invest indirectly with BLMIS and receive transfers of Customer Property through Legacy Capital from September 2000 until the Filing Date. At all relevant times, the Mayers controlled and managed HCH and Montpellier and received fees and commissions, which partially, if not fully, consisted of Customer Property.
- 68. On information and belief, Khronos served as Legacy Capital's administrator and investment manager from the date of Legacy Capital's inception until on or about July 26, 2004. Khronos received substantial fees for these purported "services." A portion, if not all, of the fees received by Khronos consisted of Customer Property transferred from the Legacy Capital Account.
- 69. On information and belief, Khronos's responsibilities as administrator included the valuation of Legacy Capital's assets; the issue and redemption of fund shares; communication with shareholders; maintenance of the corporate and financial books and records of Legacy Capital; and performance of other administrative services necessary for the administration of Legacy Capital. On information and belief, Khronos never independently verified the value, volume, or existence of any transactions purportedly made by BLMIS.
- 70. Khronos also purported to provide managerial services for the Legacy Capital Account. On information and belief, Khronos was responsible for monitoring, overseeing, and performing risk management and due diligence concerning Legacy Capital's investments. On

information and belief, Khronos never adequately performed this diligence. Instead, on information and belief, these services were delegated to BLMIS and Madoff.

The Khronos Capital Research purported to provide investment research services to Legacy Capital and, on information and belief, received fees in this capacity until on or about July 26, 2004. A portion, if not all, of the fees received by Khronos Capital Research consisted of Customer Property. To the extent Khronos Capital Research conducted any research on behalf of Legacy Capital, it was useless. The investment strategy and all other discretion as to Legacy Capital's BLMIS Account had already been delegated to BLMIS and Madoff.

<u>LEGACY CAPITAL INDIRECT INVESTOR CONFRONTS THE MAYERS WITH</u> <u>EVIDENCE OF FRAUD AT BLMIS</u>

An Indirect Investor Alerts the Mayers About Structural and Behavioral Concerns Regarding BLMIS

- 72. Renaissance Technologies Corp. ("Renaissance") is a New York hedge fund management company created by James Simons. Renaissance has a close relationship with the Mayers. James Simons and Jimmy Mayer are close personal friends and were former college classmates in the 1950s. Nathaniel Simons, James Simon's son and a Renaissance executive, is a close personal friend and former high school classmate of Rafael and David Mayer.
- 73. James Simons invested funds of personal family foundations with BLMIS in the early 1990s. On information and belief, as chairman of the investment committee of the Stony Brook University Foundation, he apparently recommended and approved the investment of that foundation's funds with BLMIS sometime later. Madoff, however, was apparently concerned that James Simons and his colleagues might ask too many questions or investigate his operations properly, and refused to accept direct investments from Renaissance.

- 74. Renaissance therefore turned to James Simons' friend, Jimmy Mayer, to get access to Madoff. Evading Madoff's ban, Renaissance indirectly invested in BLMIS in or about the late 1990s by arranging with HCH for a total return swap ("TRS") under which Renaissance received returns equal to those paid on an equivalent amount of HCH's own investment with BLMIS.
- 75. Rumors and reports about improper, highly suspicious, or illegal activity at BLMIS increased after Renaissance made its indirect investment with Madoff through the Mayers. In the early 2000s, market volatility increased, the Internet stock market bubble burst, and the economy contracted, but Madoff continued to report inexplicably consistent positive returns that perplexed and concerned his competitors. Renaissance analyzed and attempted to reverse-engineer Madoff's strategy and performance and found that it was impossible.
- 76. After analyzing Legacy Capital's account statements and reported investment returns, Renaissance presented numerous indicia of fraud at BLMIS to the Mayers. On information and belief, the Mayers offered no explanation for the anomalies.
- 77. In a November 13, 2003 email, Nathaniel Simons explained to Rafael Mayer his and Renaissance's concerns about their investment with Madoff through HCH and Legacy Capital. Primarily, Renaissance took issue with the numerous empirical anomalies and irregularities found in the Legacy Capital Account statements.
- 78. Nathaniel Simons indicated that Renaissance interviewed an unnamed exemployee of BLMIS who confirmed Renaissance's suspicions that Madoff was not being honest in how he operated BLMIS on behalf of his investors. Specifically, the individual reported to Renaissance that Madoff cherry-picked his trades for his IA Business.

- 79. Nathaniel Simons also reported to Rafael Mayer his concerns over the lack of internal controls at BLMIS. In particular, he found it troubling that Madoff's sons were at high-level positions with BLMIS and that BLMIS's auditor was Madoff's brother-in-law.
- 80. The email also identified Madoff's unorthodox fee structure. Nathaniel Simons wrote:

Another point to make here is that not only are we unsure as to how HCH makes money for us, we are even more unsure as to how HCH makes money from us; i.e. why does he let us make so much money? Why doesn't he capture that for himself? . . . [I]t's not clear why Madoff allows an outside group to make \$100 million per year in fees for doing absolutely nothing.

SEC Office of Investigations, <u>Investigation of Failure of the SEC to Uncover Bernard Madoff's</u>

<u>Ponzi Scheme (Public Version)</u>, Rep. No. OIG-509, at 146 (August 31, 2009) at 146 (the "SEC-Report").

81. On information and belief, the November 13 Simons email is just one of many communications between the Mayers and Renaissance regarding irregular activity by Madoff and BLMIS. A month later, Renaissance wanted to raise these concerns with Madoff. As an indirect investor, however, it did not have direct access to Madoff – but the Mayers did.

Others Analyzed the Legacy Capital Account Statements

- 82. In addition to structural and behavioral concerns about BLMIS, Renaissance's analysis of the Legacy Capital Account statements revealed further indicia of fraud at BLMIS.
- 83. In his sworn testimony to the SEC, Paul Broder ("Broder") explained he could not understand how Madoff produced such consistently positive results. Broder elaborated:

That's pretty hard to achieve. You know, you'd expect it to be approximately random. If you just decide – you personally decide to buy some stocks every – you know, once a month and then you looked how you did against closing price, you'd be – some would

be worse than the closing price and some would be better. And on average, these were much better than the closing price . . . [W]e don't trade once a month. We trade thousands and thousands and thousands of times . . . So if I'm only right 53 times and wrong 47 times, I'm going to make some money. But Madoff wasn't doing that . . . More or less [he would have to be right pretty close to 100 percent of the time] . . . I knew it wasn't possible because of what we do.

- 84. Broder's SEC interview was one of three highly publicized interviews with Renaissance employees (the others include Nathaniel Simons and Henry Laufer ("Laufer")) in relation to the Ponzi scheme. These interviews took place in 2009, shortly after Madoff's confession. The interviews were conducted by SEC Inspector General David Kotz in the course of preparing the SEC Report titled "Investigation of Failure of the SEC to Uncover Bernard Madoff's Ponzi Scheme." The SEC was particularly interested in obtaining the testimony of these Renaissance employees due to their numerous emails in late 2003 concerning the evidence they uncovered using the Legacy Capital Account information.
- 85. The TRS provided Renaissance with direct access to the Legacy Capital Account information. As a result of the close business and personal relationships between the Mayers and James and Nathaniel Simons, and their unique investment relationship, Renaissance regularly communicated to the Mayers its opinions, findings, and research concerning its investment with BLMIS through Legacy Capital. The Mayers, through Khronos, sent Renaissance copies of the Legacy Capital Account trade confirmations.
- 86. Renaissance proceeded to use the data in the Legacy Capital Account trade confirmations, along with readily available public information about financial markets, to Madoff's SSC Strategy. Specifically, Broder attempted to use the information regarding the

options trades BLMIS purported to execute on Legacy Capital's behalf to determine if Madoff's results were possible.

87. Applying a straightforward and routine investigatory checklist, Broder analyzed, among other things, Madoff's stock and option trading volumes, prices, timing, and returns, his auditor, his secrecy, his fee structure, and operational controls. Broder focused primarily on the volume and timing of the options trades. Using the stated strike prices on the Legacy Capital Account trade confirmations and public information suggesting BLMIS had anywhere between \$5 billion and \$15 billion in assets under management, Broder determined that under Madoff's SSC Strategy, his reported returns were impossible. As Broder indicated on a November 21, 2003 e-mail to Renaissance co-workers, "[n]one of it seem[ed] to add up." He added:

By [my calculations] Madoff could only do \$750m [of options]. That is with him doing 100% of the option volume in his chosen strike. . . . Lets assume that he spreads it over 3 days – so we get to 2.1bln – still far short of the target numbers.

<u>Id.</u> at 148.

88. Broder noted that a logical alternative was that Madoff was trading options in the over the counter ("OTC") market. After some basic diligence on this subject, Broder found this explanation highly improbable. Broder wrote:

We have spoken to several market makers in OTC equity options, none of them claim to see any significant volume in OEX options. Recall that [Rafael Mayer] stated that Madoff had said it was necessary to spread trades over several days – why if you are doing OTC?

Id. at 149.

89. Broder also found that Madoff was reporting on customer statements that he had purchased stocks at extremely low prices and sold stocks at extremely high prices. According to

Laufer this "was statistically almost impossible to do if you were trading in an ordinary way."

Id. at 152. He explained to the SEC that "if you looked at [the Legacy Capital Account] monthly statements and looked at the executions of the stock side . . . the prices were just too good from any mode of execution that we were aware of that was legitimate." Id. "[T]hat was very suspicious." Id.

90. Renaissance also concluded that Madoff's predictions for when to stay out of the stock market were just as "extraordinary." <u>Id.</u> Laufer noted that the Legacy Capital BLMIS customer statements showed that:

[At certain points] his position would go to zero [go to cash]. It seemed to us that the quarters that he'd decide to go to zero were exceptionally good quarters to have no position. . . . It seemed to us that those quarters in which he decided to go into zero cash were quarters in which, if you blindly tried to do what he was doing, you would have lost money. . . . We had no idea . . . how he managed to do that. . . . We didn't understand what he was doing. We didn't understand how he was doing what he was doing.

Id.

91. Broder also did not understand how anyone could buy the amount of options Madoff purported to sell when he purported to sell them. Specifically, he could not understand why the counterparty to such a trade would be willing to take on the risk. In disbelief, Broder wrote in his November 21, 2003 email:

Are we to believe that the market makers would take on \$15bln of market risk at the close? Of course they might (might!!!) be willing to take the option risk if Madoff provided the market hedge in the underlying (i.e. they did the whole package with Madoff) but we already know that the trades in the underlying, compared with the closing prices, would leave the OTC counterparty showing losses (as our account always shows gains) . . . So we need an OTC counterparty (not necessarily a bank) who is willing to do the basket of the options plus the underlying with Madoff at prices

unfavourable [sic] for the OTC counterparty – in 10-15bln!!! Any suggestions who that might be? None of it seems to add up.

<u>Id.</u> at 149.

Legacy Capital, the Mayers, and the Khronos Defendants Treated Due Diligence on BLMIS With Kid Gloves

92. Unlike Renaissance, Legacy Capital, the Mayers, and the Khronos Defendants never performed a straightforward empirical analysis of the Legacy Capital Account statements. Their refusal to conduct even the most rudimentary due diligence on Madoff and BLMIS resulted from the Mayers' desire to continue profiting from Madoff and BLMIS. In his interview with SEC, Broder acknowledged as much when he explained:

[I]t was difficult for [Legacy Capital, HCH, the Mayers and the Khronos Defendants] to do due diligence with – against Madoff, you know. There's a certain sensitivity to questions and kind of things . . . They didn't want to upset – you didn't walk in to a guy and say, are you really telling us the truth? So they had to . . . treat him with kind of kid gloves because of that.

93. As sophisticated investors, Legacy Capital, the Mayers, and the Khronos Defendants were capable of undertaking the analysis Broder explained in his emails to his coworkers and his interview with the SEC. The analysis performed by Broder only required a basic understanding of market data and simple mathematics. As Laufer explained to the SEC:

This is not rocket science. . . . This is not . . . proprietary Renaissance analysis here. . . . Paul Broder would not claim to be a mathematician, and he's an expert of this, and he's very smart. But you don't have to be as smart as Paul Broder is to do what he says here.

Id. at 155.

94. Similarly, Nathaniel Simons told the SEC:

We did feel that despite the fact that we're kind of smart people, we were just looking at matters of public record. I mean, you know, it wasn't hard to get these statements. These statements, you know, hundreds of – lots of lots and lots of people had Madoff statements. So we didn't really feel that we were dealing with something which is proprietary, and therefore the conclusions that we came to were something that was – you know, other people were unlikely to come to. And it's not like we needed a PhD in mathematics to do the . . . study on the OEX. Right? I mean, this is just – just looking at the size of the market.

Id. at 151.

Renaissance Coached the Mayers on How to Confront Madoff

- 95. In a December 11, 2003 email Broder coached Rafael Mayer on the questions the Mayer Defendants were to ask Madoff on Renaissance' behalf. The questions reflected Broder's concerns regarding the volume and timing of the options trades Madoff purportedly traded on Legacy Capital's behalf.
- 96. This correspondence demonstrates that neither Broder nor Rafael Mayer expected Madoff to have a legitimate explanation for any of the anomalies. With respect to questioning Madoff about his options trading practice, Broder instructed:

First ask [Madoff how he would hedge out the other side of the trade]. To which we strongly expect an answer that he does this OTC. Then ask (in innocent amazement!): So you can do this kind of volume on OEX OTC Options!?! . . . Gee, what kind of banks are big enough to [trade with you] (more animated amazement!!!)

97. Broder's e-mail was in response to Rafael Mayer's original correspondence containing a list of questions to present to Madoff in a future meeting. The questions concerned Madoff's execution of his SSC Strategy for the Legacy Capital Account. The questions also

addressed the lack of transparency and secretive nature of Madoff's investment operations.

Rafael Mayer also included the following questions:

- 1) How does he make money from us since he does not charge commissions? 2) Why bother with this? Why doesn't he go to conventional financing and keep more upside for him?
- 98. James Simons and Renaissance withdrew and ultimately liquidated their direct and indirect investments with BLMIS in or about 2004. On information and belief, Renaissance's withdrawal and liquidation was a direct result of the diligence described in detail above. The Mayers, Legacy Capital, HCH, Montpellier, and the Khronos Defendants, on the other hand, continued to invest with and profit from BLMIS.
- 99. Even after these correspondences with Renaissance, the Mayers, through Legacy Capital, withdrew nearly \$90 million in fictitious profits from BLMIS.

LEGACY CAPITAL, THE MAYERS, AND THE KHRONOS DEFENDANTS RECRUIT BNP PARIBAS

The Mayers and Khronos Defendants Hide Behind BNP Paribas

- 100. With the increasingly obvious indicia of fraud at BLMIS, it was becoming harder for the Mayers and the Khronos Defendants to look the other way. The Mayers and the Khronos Defendants continued feeding funds into BLMIS while at the same time handing over due diligence responsibilities to BNP Paribas.
- 101. On July 26, 2004, the Mayers relinquished their signatory authority over the Legacy Capital Account and BNP Paribas assumed it the same day.
- 102. For the remainder of Legacy Capital's investment relationship with BLMIS, BNP Paribas was the party responsible for performing the managerial and administrative duties that the Khronos Defendants purported to conduct on behalf of Legacy Capital prior to July 26, 2004.

On information and belief, BNP Paribas was now responsible for performing adequate, reasonable, or meaningful due diligence on BLMIS. On information and belief, it did not.

- 103. On July 26, 2004, the Mayers and the Khronos Defendants directed Legacy Capital to enter into a credit agreement (the "Credit Agreement") with BNP Paribas. The Credit Agreement called for BNP Paribas to make senior secured loans to Legacy Capital. The Credit Agreement also provided a line of credit to HCH and Montpellier. In return, the Mayers and the Khronos Defendants directed Legacy Capital to pledge to BNP Paribas all the funds in the Legacy Capital Account.
- 104. BNP Paribas also received transfers of Customer Property for the benefit of Legacy Capital. From September 2007 to June 2008 BNP Paribas received at least \$87,000,000 from BLMIS through the Legacy Capital Account. On information and belief, a portion of this amount was subsequently transferred to HCH and Montpellier, which as alleged above, invested with BLMIS through Legacy Capital. Also on information and belief, a portion of this amount was subsequently transferred to the Mayers and the Khronos Defendants.
- 105. The Khronos Defendants continued to provide services to and received fees from HCH and Montpellier. On information and belief, the Mayers and the Khronos Defendants continued to receive subsequent transfers of Customer Property from HCH and Montpellier.

BNP Paribas Received Money for Doing Nothing

106. On July 26, 2004 BNP Paribas became the custodian of the assets in the Legacy Capital Account. BNP Paribas, however, never held custody or verified the existence of the assets of that account. Rather, BNP Paribas's custodial responsibilities, for which it received substantial compensation, were delegated, on information and belief, to Madoff and BLMIS.

- 107. On information and belief, one of BNP Paribas's many responsibilities as to the Legacy Capital Account was to calculate its net asset value ("NAV"), which includes the valuation of BLMIS's supposed OTC option contracts. On information and belief, BNP Paribas never independently verified the value, volume, or existence of any transactions purportedly made by BLMIS on Legacy Capital's behalf but nevertheless received fees for the "services" it provided.
- 108. BNP Paribas oversaw the withdrawal of approximately \$175 million of Customer Property from the Legacy Capital Account. On information and belief BNP Paribas received substantial fees from the execution of these fraudulent transfers. A portion, if not all, of these fees consisted of Customer Property transferred from the Legacy Capital Account.

ALL DEFENDANTS WERE ON NOTICE OF INDICIA OF FRAUD AT BLMIS

- 109. As alleged above, all Defendants were or should have been aware of significant red flags and empirical evidence that indicated that BLMIS was likely a fraud, or engaged in fraudulent activity, but chose to ignore it. Many other red flags pointed to this conclusion. All Defendants were on inquiry notice of fraud at BLMIS. On information and belief, Defendants did not inquire further.
- 110. All Defendants are sophisticated investors and/or financial institutions that, on information and belief, had regular access to the trade confirmations and account statements for their corresponding BLMIS accounts. Also on information and belief, all Defendants accepted fees in consideration for the independent, meaningful, and reasonable due diligence they were expected to exercise, but did not, in selecting and monitoring BLMIS as their sole investment manager.

- 111. The Mayers, Legacy Capital, the Khronos Defendants, BNP Paribas, HCH, and Montpellier (together, the "Legacy Capital Defendants") regularly received detailed account statements and trade confirmations from BLMIS that demonstrated (among many other things):
 - Consistent rates of returns that could not be achieved by BLMIS's stated trading strategy and Account Agreement authorizations;
 - Impossible volume of option trades that BLMIS allegedly executed on the BLMIS Accounts' behalf;
 - Reported trades that bore no relation to the SSC Strategy and were not authorized by Account Agreements; and
 - Lack of any impact on stock and options markets resulting from the overwhelming volume of buy and sell transactions BLMIS claimed to be executing numerous times every year.
 - 112. Moreover, all Defendants were on inquiry notice of BLMIS's fraud based on:
 - Lack of disclosure of counterparties to alleged trades;
 - Secrecy and lack of transparency surrounding BLMIS, including general lack of access to Madoff as the manager;
 - BLMIS's antiquated record systems and insistence on mailing untimely paper account statements and trade confirmations instead of using electronic communications;
 - Incapability and lack of qualification of BLMIS's audit firm Friehling & Horowitz to perform its legally required duties; and
 - Madoff left hundreds of millions, if not billions of dollars, in traditional industry standard management and performance fees on the table while taking only modest commissions for his investment management services.

The Legacy Capital Account Statements Reflected Substantial Quantitative Evidence Of Fraud

The Legacy Capital Account Rates of Return Were Indicia of Fraud At BLMIS

113. In addition to suspicious trading patterns and other irregularities highlighted by Renaissance in 2003, there were many other red flags in the Legacy Capital Account. Legacy

Capital, the Mayers, the Khronos Defendants, and BNP Paribas (together, the "Legacy Capital Defendants") were on actual or inquiry notice of fraud at BLMIS.

- 114. For example, from 2000 until 2008, Legacy Capital's annual returns with BLMIS averaged 11.32 percent. BLMIS purported to achieve these results with only four months of negative returns during a 98 month period from October 2000 through November 2008 while the S&P 100 experienced 46 months of negative returns over the same period.
- downturns such as the: (i) "dot com" bubble bursting in 2000; (ii) the 2000-2002 bear market, including the disastrous market impact of September 11, 2001; and (iii) the recession and housing crisis of 2008. BLMIS continued to generate positive returns even during the last 14 months of BLMIS's existence, when the S&P 100 fell no less than 39.4 %. Madoff's SSC Strategy purported to track the performance of the S&P 100 and results were not credible. Such consistently positive returns have no correlation with the historical fluctuations of the S&P 100 Index, on which BLMIS's trading activity was purportedly based.
- 116. The Legacy Capital Defendants, however, did not inquire further. As set forth in the table below, the consistency of the positive rates of return, especially during major market downturns cannot be squared with BLMIS's stated trading strategy and the strategy set forth in Legacy Capital's Account Agreements.

Figure 1 Legacy Capital Rates of Return vs. S&P Rates of Return 2000-2008

Year	Legacy	S&P 100
	Capital Rate	Rate of
	of Return	Return
2000	2.6%	(9.7%)
2001	13.2%	(14.88%)

2002	12.2%	(23.88%)
2003	10.9%	23.84%
2004	9.9%	4.45%
2005	10.5%	(0.92%)
2006	13.5%	15.86%
2007	10.9%	3.82%
2008 ⁵	9.3%	(36.86%)

<u>The Volume of Purported Option Transactions Traded on Behalf of Legacy Capital Was Impossible</u>

implement its purported SSC strategy. To implement this strategy, BLMIS pretended to purchase S&P 100 index ("OEX") options to hedge the investment in a representative basket of 35 to 40 stocks whose performance correlated with the S&P 100. Legacy Capital's account statements and trade confirmations demonstrated that Madoff was purportedly engaging in impossible option transactions. On many occasions, throughout Legacy Capital's history of investment with BLMIS, the options volume BLMIS reported to have engaged in on behalf of Legacy Capital exceeded the total number of OEX options traded on the Chicago Board Options Exchange ("CBOE") for that contract on that day.

Capital's behalf a total of 2,799 OEX put options, when the total volume traded on the CBOE for all OEX puts that day was 1,001. Similarly, on the same day, BLMIS purportedly sold on Legacy Capital's behalf a total 2,799 OEX call options when the total volume traded on the CBOE for all such contracts that day was 348. It would have been impossible for BLMIS's volume to exceed that of the market, respectively, for the identical contract on the same day.

⁵ These figures are through November 2008.

- behalf a total of 1,164 OEX put options on behalf of Legacy Capital, when the total volume traded on the CBOE for all such contracts that day was 132. Also on that day, BLMIS purportedly sold on Legacy Capital's behalf a total 1,164 OEX call options, when the total volume traded on the CBOE for all such contracts that day was 255. The Mayers and BNP Paribas knew or should have known that these option trading volumes reported by BLMIS were impossible if exchange traded.
- 120. In total, there were 199 instances of option trades exceeding the volume traded on the CBOE on the Legacy Capital Account.

The Excess Options Trades Could Not Have Been Conducted in Over-The-Counter Markets

- options for the SSC Strategy, Madoff often responded that he traded in the OTC market. This claim was facially implausible, as the excess options purportedly traded on Legacy Capital's behalf could not have been sold in the OTC market. Trading options in the OTC market would have been more expensive than trading on the CBOE, yet on information and belief those costs were not incurred by BLMIS or passed on to its investors. The absence of such costs, together with BLMIS's representation that it was trading in the OTC market, should have prompted sophisticated investors like the Legacy Capital Defendants to request verification of the trades and demand more concrete information about the operations of BLMIS.
- 122. Also, in the OTC market, option counterparties are identified on trade confirmations. On information and belief, as was typical for all BLMIS accounts, none of the options trade confirmations sent to the Legacy Capital Defendants ever identified the counterparty.

123. Finally, options traded on the CBOE have unique identifier known as a CUSIP number, that allows traders to quickly access information regarding a particular transaction.

OTC options, however, are not assigned a CUSIP number. Despite this fundamental difference, on information and belief, the trade confirmations BLMIS sent to the Legacy Capital Defendants for review included a CUSIP number, even though the ostensible trades were private OTC transactions.

Legacy Capital Defendants Ignored Impossible Equity Trades

- 124. Legacy Capital's trade confirmations routinely reported equity trades that reflected prices outside the range reported in the market for those respective trading days. On information and belief, these impossible trades were not identified by the Legacy Capital Defendants, reported to BLMIS, or corrected.
- 125. For example, Legacy Capital's account statements for October 2003 reported a purchase of 87,472 shares of Intel Corporation (INTC). BLMIS's trade confirmations indicate that these stocks were purchased on October 2, 2003 for \$27.63 per share. The daily price range for Intel Corporation stock purchased and sold on October 2, 2003 in fact ranged from a low of \$28.41 to a high of \$28.95.
- 126. In another example, Legacy Capital's account statements for December 2006 reported a sale of 19,790 shares of Merck (MRK). BLMIS's records and Legacy Capital's trade confirmations reflect that these stocks were sold on December 22, 2006 for \$44.61. In fact, the price range for Merck stock bought and sold on December 22, 2006 was between \$42.78 and \$43.42.
- 127. In total, BLMIS reported to Legacy Capital 138 equity trades that were impossibly priced. On information and belief, the Legacy Capital Defendants did not

independently, meaningfully, or reasonably inquire further about these impossible trades, despite the fact that they knew BLMIS's trading activities were at times impossible.

Legacy Capital Frequently Had a Negative Cash Balance with BLMIS

- 128. On numerous occasions, Legacy Capital's cash accounts with BLMIS had a negative balance. Certain of the negative balances resulted from either the purchase of equities that exceed the value of Treasurys sold to fund the purchase, the purchase of put options prior to selling the call options they were meant to fund, or cash being withdrawn prior to the sale of equities to fund the withdrawal. Normally, when a customer purchases assets prior to the funds being available in the customer's account, the customer is buying on "margin."
- 129. Legacy Capital did not have a margin account with BLMIS and could not have traded on margin. The fact that Legacy Capital had a negative cash balance with Madoff on 68 separate occasions put the Legacy Capital Defendants on inquiry notice that BLMIS was acting dishonestly on behalf of Legacy Capital.
- 130. Even if BLMIS was buying on margin with the permission of Legacy Capital, the Legacy Capital Defendants knew or should have known that BLMIS was acting in a suspiciously irregular if not unlawful manner. When buying on margin, customers incur and are generally charged margin interest because buying on margin is effectively buying the underlying security with a loan from the investment advisor/broker dealer. On information and belief, Madoff never charged Legacy Capital any margin interest for this extension of credit, effectively giving millions of dollars to Legacy Capital as a tax-free gift. These extensions of credit were not trivial.
- 131. The table below illustrates a sample of the dozens of instances the Legacy Capital Account had negative cash balances.

Account	Beginning Date	Ending Date	Days	Average Balance	Lowest Balance
1FR071	6/20/2001	6/20/2001	1	(5,573,194)	(5,573,194)
1FR071	8/24/2001	8/26/2001	3	(9,393,987)	(9,393,987)
1FR071	12/11/2001	12/13/2001	3	(6,978,607)	(20,730,114)
1FR071	1/7/2003	1/13/2003	7	(3,502,976)	(6,545,474)
1FR071	3/20/2003	3/23/2003	4	(6,063,821)	(6,838,646)
1FR071	6/23/2003	6/23/2003	1	(35,051,078)	(35,051,078)
1FR071	1/11/2006	1/12/2006	2	(19,173,091)	(36,482,113)

The Legacy Capital BLMIS Trade Confirmations Frequently Contained Settlement Anomalies in Options Transactions

- 132. The Legacy Capital Defendants ignored options transactions that settled in a time range outside of industry norms. In common practice, the settlement date for listed options is the business day following execution. The Legacy Capital Account statements showed options transactions that often settled in many instances as late as three days after the trade date.
- 133. For example, out of 777 options transactions purportedly entered into on behalf of Legacy Capital's BLMIS Account, only 542 settled on the business day following execution, meaning that more than 30 percent of all of the purported options activity in Legacy Capital's BLMIS account did not comply with standard trading practices. Either the Legacy Capital

Defendants were aware of these irregularities and ignored them, or failed to reasonably and meaningfully investigate them on behalf of their investors.

All Defendants Were on Inquiry Notice of Fraudulent Activity at BLMIS BLMIS's Enormous Trading Volume Never Impacted the Market

- 134. According to Legacy Capital's Account Agreements, BLMIS purportedly moved all assets into the market over the span of a few days. Then, when its computer model so indicated, BLMIS purportedly sold those securities over a similar period. As of August 2006, BLMIS filed an ADV Form with the SEC that stated that BLMIS had approximately \$11.7 billion of assets under management. Later filings stated that BLMIS had \$13.2 billion at the end of 2006, and \$17.1 billion at the end of 2007.
- billion into and out of the market over the course of just a few days numerous times every year. This enormous volume should have caused significant market reactions and price displacement. Such displacement was never observed because the trading did not occur. Based on the lack of observable market reaction, the Defendants knew or should have known that Madoff's trades were not happening as he claimed.

Madoff's Supernatural Timing

136. Pricing reflected on the trade confirmations and account statements further demonstrated the implausibility of Madoff's trades, which almost always occurred at precisely the right time of the day. With remarkable consistency, when Madoff was purchasing shares, the reported average purchase price was in the lower half of the daily trade range, and when selling shares, the sale price was in the upper half of the daily trade range.

- 137. Madoff's success rate alone was a red flag. Madoff also represented to investors that he was time-slicing (entering the market at specific intervals over the course of a trading day), and thus the reported price was an average. In purchasing or selling a stock several times during the trading day, Madoff's reported prices should have gravitated toward the daily midpoint. Instead, they gravitated toward Madoff's optimal price point—a statistical impossibility.
- 138. For example, the Legacy Capital's account statements and trade confirmations indicate that over the life of the Legacy Capital Account 78.28% of 5,889 equity buys occurred in the lower half of the daily price range and 71.88% of 5,420 equity sales occurred in the upper half of the daily price range. For example, Legacy Capital's September 2004 BLMIS account statement indicated that 162 of 164 purported equity sales occurred in the upper half of the daily price range. Over the life of the Legacy Capital Account, there were 22 months in which at least 90% of the equities were either sold in the upper half of the daily price range or purchased in the lower half of the daily price range. Because the Legacy Capital Defendants were sophisticated financial professionals and had access to Legacy Capital's BLMIS trade confirmations, they should have known that these purported trades were statistically impossible.
- 139. Defendants accepted that BLMIS's purported trading activity defied laws of supply and demand, common sense, and industry practice.

Defendants Entered into Risky Option Contracts with Unidentified Counterparties

140. Trading OTC options would have required Madoff to enter into private, individually negotiated contracts with willing counterparties. Legacy Capital and the Pre-Legacy Accountholder Defendants executed a Trading Authorization Agreement with BLMIS. Under this agreement, Madoff served as the agent to Legacy Capital and the Pre-Legacy Accountholder

Defendants in entering into any options trades. These trades are private contracts between the Legacy Capital and the Pre-Legacy Capital Accountholder Defendants and the Counterparty. If the counterparty failed to perform it was Legacy Capital and the Pre-Legacy Capital Accountholder Defendants, not BLMIS, that were exposed.

141. BLMIS was supposed to act only as an agent for Legacy Capital and the Pre-Legacy Capital Accountholder Defendants — indeed, the Trading Authorization Agreement explicitly states that the Legacy Capital Account and the Pre-Legacy Accounts could not seek recourse from BLMIS if the counterparty failed to perform. On information and belief, BLMIS refused to identify these counterparties to its clients. The fact that the Pre-Legacy Capital Accountholder Defendants' options contracts contained unidentified counterparties put Defendants on inquiry notice of Madoff's fraud.

The Structure of BLMIS Was Opaque, Secretive, and Lacked Independent Oversight and Customary Internal Controls

142. Madoff purportedly held positions at BLMIS that would normally be occupied by four separate entities – he was the investment adviser, custodian, and administrator of the 703 Account, as well as the broker-dealer who initiated and executed the phantom trades. This meant that there was neither an independent custodian to assure the proper segregation of assets, nor was there an independent third party to verify the existence and value of BLMIS's investments or transactions. This "self-custody" structure eliminated a critical internal control, widely recognized as basic in both the brokerage and investment management industry, that prevents fraud by having an independent custodian hold and confirm the actual existence of securities for investors. On information and belief, none of the Defendants reasonably or independently verified that the securities purportedly bought, sold, or held for the BLMIS Accountholders

existed. On information and belief, the Defendants accepted Madoff's explanation for this facially suspicious practice. The Defendants performed no independent, meaningful, or reasonable due diligence despite being on notice of this red flag.

Paper Trades

143. In addition, despite being a technological pioneer of electronic trading, Madoff did not provide his customers with real-time electronic access to their accounts, which was and is customary in the industry for hedge fund and fund of fund investors. BLMIS used outmoded technology and provided only printed account statements and paper trading confirmations that were sent via U.S. mail, three to four days after the trades occurred. This was a practice plainly rife with the risk of fraud.

Absence of Capable Auditor

- 144. Even the one institutional check on the IA Business's activities the fact that it was audited by an independent auditor was itself a major warning sign for investors. BLMIS ostensibly had tens of billions of dollars under management, but was audited by Friehling & Horowitz C.P.A. P.C. ("F&H"), an accounting firm with only two accountants, one of whom was semi-retired and living in Florida. The firm's offices were located in a strip mall in remote Rockland County, New York.
- 145. On November 3, 2009, David Friehling pled guilty to seven counts of securities fraud, investment adviser fraud, obstructing or impeding the administration of Internal Revenue laws, and making false filings with the SEC.
- 146. On information and belief, none of the Defendants independently confirmed if F&H was adequately staffed, technically equipped, or professionally qualified, or even capable

of performing large scale domestic and international auditing services at a time when Madoff was reporting in excess of \$11 billion under management.

- 147. The size and lack of professional qualifications of F&H and the nature of the services they provided were readily accessible to the Defendants. All accounting firms that perform audit work must enroll in the American Institute of Certified Public Accountants' ("AICPA") annual peer review program. In this program, experienced auditors assess a firm's audit quality. F&H, while a member of the AICPA, had not been peer reviewed since 1993. The firm avoided the requirement by stating, in writing, that it did not actually perform any auditing work. The results of these peer reviews are a matter of public record and on file with the AICPA.
- 148. That BLMIS, with billions of dollars under management, relied on an auditor like Friehling & Horowitz, should have been a red flag to the Defendants. Instead, the Defendants ignored this red flag, did not inquire further, and continued to develop their relationships with BLMIS.

Management Fees

149. BLMIS gave all Defendants a powerful incentive to turn a blind eye to its numerous indicia of fraud. Madoff contrary to industry standards, agreed to a compensation structure that left hundreds of millions, if not billions, of dollars on the table. Madoff purported to be satisfied with simply earning a trading commission of four-cents per share and one dollar per option contract. The standard investment advisory fee charged by a hedge fund manager ranges from 1% to 2% of assets under management plus a performance fee of 10% to 20% of any profits earned by the investment. Fees normally run higher for investment advisers with a history of success. With respect to Legacy Capital alone, Madoff left anywhere from \$12

million to \$36 million in fees on the table. By contrast, the BLMIS Accountholder Defendants, whose only role was to funnel money to BLMIS, on information and belief, received substantial administrative fees and a share of the profits that would normally go to the entity in the position of BLMIS.

THE TRANSFERS

\$258,195,240 to or for the benefit of the Pre-Legacy Accountholder Defendants and Legacy Capital (the "Transfers"). Madoff directed the Transfers to these defendants through the accounts at BLMIS set forth on Exhibit A. A portion of the Transfers were subsequently transferred to other defendants (the "Subsequent Transfers"). The Transfers and Subsequent Transfers are Customer Property within the meaning of SIPA § 78111(4) and are avoidable and recoverable by the Trustee under 11 U.S.C. §§ 544, 548, 550, and 551, N.Y. DCL §§ 273-279, and N.Y. CPLR 203(g) and 213(8), as alleged fully herein.

Transfers to the Legacy Capital Account

- 151. According to BLMIS's records, Legacy Capital maintained account number 1FR071 with BLMIS as set forth on Exhibit A. Legacy Capital executed the Account Agreements, and delivered such documents to BLMIS at BLMIS's headquarters at 885 Third Avenue, New York, New York.
- 152. Prior to the December 11, 2008 Filing Date, BLMIS transferred at least \$255,817,626 to or for the benefit of Legacy Capital (the "Legacy Capital Account Transfers") under circumstances that should have put Legacy Capital on notice that the Legacy Capital Account Transfers and/or that the Legacy Capital Account Transfers were made for fraudulent purposes. Of this amount, \$89,306,362 consisted of fictitious profits supposedly earned in the

Legacy Capital Account and approximately \$126,674,218 constituted the return of principal. The Legacy Capital Account Transfers are Customer Property within the meaning of SIPA § 78*lll*(4). The Legacy Capital Account Transfers are avoidable and recoverable under sections 544, 548, 550(a), and 551 of the Bankruptcy Code, applicable provisions of SIPA, particularly78fff-2(c)(3), and applicable provisions of N.Y. CPLR 203(g) and 213(8) and N.Y. DCL §§ 273-279.

- 153. On or about September 26, 2000, the Mayers, HCH, and Montpellier directed BLMIS to transfer HCH and Montpellier's remaining cash balances from their respective BLMIS accounts to the newly-created Legacy Capital Account for a total of \$39,837,036. After this initial transfer, BLMIS transferred \$215,980,590 to or for the benefit of Legacy Capital as set forth in Exhibits B and C. The September 2000 BLMIS transfers to the Legacy Capital Account totaling \$39,837,036 are not displayed on Exhibits B and C because those exhibits only track the money withdrawn from the Legacy Capital Account.
- 154. Of the \$215,980,590 withdrawn over the lifetime of the Legacy Capital Account, \$128,980,580 was transferred directly to Legacy Capital and \$87,000,000 was transferred to BNP Paribas for the benefit of Legacy Capital. These Transfers are Customer Property and are avoidable and recoverable under sections 544, 548, 550(a), and 551 of the Bankruptcy Code, applicable provisions of SIPA, particularly 78fff-2(c)(3), and N.Y. DCL §§ 273-279.
- 155. During the six years prior to the Filing Date, BLMIS made payments or other transfers to or for the benefit of Legacy Capital in the amount of \$215,600,512. This included \$128,600,512 transferred directly to Legacy Capital and \$87,000,000 transferred to BNP Paribas for the benefit of Legacy Capital (the "Six-Year Transfers"). The Six-Year Transfers are avoidable and recoverable under 11 U.S.C. §§ 544, 550, and 551; applicable provisions of

SIPA, particularly SIPA § 78fff-2(c)(3); and applicable provisions of N.Y. CPLR 203(g) and 213(8), and §§ 273-279 of the N.Y. DCL.

Capital in the amount of \$174,801,697. This included \$87,801,697 transferred directly to Legacy Capital and \$87,000,000 transferred to BNP Paribas for the benefit of Legacy Capital (the "Two-Year Transfers"). The Two-Year Transfers are avoidable and recoverable under sections 548, 550(a), and 551 of the Bankruptcy Code and applicable provisions of SIPA, particularly section 78fff-2(c)(3) and applicable provisions of N.Y. DCL §§ 273-279.

The Legacy Capital Subsequent Transfers

- 157. On information and belief, the Mayers, BNP Paribas, the Khronos Defendants, HCH, and Montpellier were immediate or mediate transferees of subsequent transfers of the Legacy Capital Account Transfers referenced above ("the Legacy Capital Subsequent Transfers").
- 158. The Legacy Capital Subsequent Transfers, or the value thereof, were and remain Customer Property and are recoverable from the Mayers, BNP Paribas, the Khronos Defendants, HCH, and Montpellier under section 550(a) of the Bankruptcy Code.

Transfers to the Pre-Legacy Capital Accounts

159. As alleged herein, according to BLMIS's records, HCH, Montpellier, Inversiones, Aurora, and Olympus maintained account numbers 1FR055, 1FN027, 1FN047, 1FN067, and 1FR034, respectively as set forth in Exhibit A. The Pre-Legacy Capital Accountholder Defendants executed Account Agreements, and delivered such documents to BLMIS at BLMIS's headquarters at 885 Third Avenue, New York, New York.

- \$2,377,614 (the "Pre-Legacy Capital Account Transfers")⁶ to or for the benefit of the Pre-Legacy Capital Accountholder Defendants under circumstances that should have put the Pre-Legacy Capital Accountholder Defendants on notice that the Pre-Legacy Capital Account Transfers were fraudulent. Of this amount, \$702,786 constituted fictitious profits supposedly earned in the Pre-Legacy Capital Accountholder Defendants' corresponding BLMIS accounts and approximately \$1,674,828 constituted the return of principal. See Exhibits B and C. The fictitious profits received by the Pre-Legacy Capital Accountholder Defendants were other people's money.
- 161. These Pre-Legacy Capital Account Transfers are avoidable and recoverable under sections 544, 550(a) and 551 of the Bankruptcy Code, applicable provisions of SIPA, particularly 78fff-2(c)(3), and applicable provisions of N.Y. CPLR 203(g) and 213(8), and N.Y. DCL §§ 273 279.

The Pre-Legacy Capital Subsequent Transfers

- 162. On information and belief, the Mayers, the Khronos Defendants, HCH, and Montpellier received subsequent transfers of the avoidable transfers referenced above ("the Pre-Legacy Capital Subsequent Transfers," and together with the Legacy Capital Subsequent Transfers, the "Subsequent Transfers"), which are recoverable under Section 550(a) of the Bankruptcy Code.
- 163. The Pre-Legacy Capital Subsequent Transfers, or the value thereof, are recoverable from the Mayers, the Khronos Defendants, HCH, and Montpellier under section 550(a) of the Bankruptcy Code.

⁶ This amount represents the sum of the lifetime transfers from BLMIS to the Pre-Legacy Accounts.

- 164. To the extent that any of the recovery counts may be inconsistent with each other, they are to be treated as being pled in the alternative.
- 165. The Trustee's investigation is ongoing and the Trustee reserves the right to: (i) supplement the information regarding the Transfers and any additional transfers; and (ii) seek recovery of such additional transfers.

COUNT ONE: FRAUDULENT TRANSFER – 11 U.S.C. §§ 548(a)(1)(A), 550(a), AND 551 Against Legacy Capital and BNP Paribas

- 166. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 167. Each of the Two-Year Transfers was made on or within two years before the Filing Date.
- 168. Each of the Two-Year Transfers constituted a transfer of an interest of BLMIS in property within the meaning of sections 101(54) and 548(a) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 169. Each of the Two-Year Transfers were made by BLMIS with the actual intent to hinder, delay, or defraud some or all of BLMIS's then existing or future creditors. BLMIS made the Two-Year Transfers to or for the benefit of Legacy Capital and BNP Paribas in furtherance of a fraudulent investment scheme.
- 170. Each of the Two-Year Transfers constitute a fraudulent transfer avoidable by the Trustee under section 548(a)(1)(A) of the Bankruptcy Code and recoverable from Legacy Capital and BNP Paribas under section 550(a) of the Bankruptcy Code and SIPA § 78fff-(2)(c)(3).
- 171. As a result of the foregoing, under sections 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment: (a) avoiding and preserving the Two-

Year Transfers; (b) directing that the Two-Year Transfers be set aside; and (c) recovering the Two-Year Transfers or the value thereof, from the Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS.

COUNT TWO: FRAUDULENT TRANSFER – 11 U.S.C. §§ 548(a)(1)(B), 550(a), AND 551 Against Legacy Capital and BNP Paribas

- 172. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 173. Each of the Two-Year Transfers was made on or within two years before the Filing Date.
- 174. Each of the Two-Year Transfers constitutes a transfer of an interest of BLMIS in property within the meaning of sections 101(54) and 548(a) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 175. BLMIS received less than a reasonably equivalent value in exchange for each of the Two-Year Transfers.
- 176. At the time of each of the Two-Year Transfers, BLMIS was insolvent, or became insolvent as a result of the Two-Year Transfer.
- 177. At the time of each of the Two-Year Transfers, BLMIS was engaged in a business or a transaction, or was about to engage in a business or a transaction, for which any property remaining with BLMIS was an unreasonably small capital.
- 178. At the time of each of the Two-Year Transfers, BLMIS intended to incur, or believed that it would incur, debts that would be beyond BLMIS's ability to pay as such debts matured.

- 179. Each of the Two-Year Transfers constitute fraudulent transfers avoidable by the Trustee under section 548(a)(1)(B) of the Bankruptcy Code and recoverable from Legacy Capital and BNP Paribas under section 550(a) and SIPA § 78fff-(2)(c)(3).
- 180. As a result of the foregoing, under sections 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment against Legacy Capital and BNP Paribas: (a) avoiding and preserving the Two-Year Transfers; (b) directing that the Two-Year Transfers be set aside; and (c) recovering the Two-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS.

<u>COUNT THREE: FRAUDULENT TRANSFER - N.Y. DCL §§ 276, 276-a, 278 AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551</u>

Against Legacy Capital and BNP Paribas

- 181. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 182. At all times relevant to the Six-Year Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 183. Each of the Six-Year Transfers constituted a conveyance by BLMIS as defined under N.Y. DCL section 270.
- 184. Each of the Six-Year Transfers was made by BLMIS with the actual intent to hinder, delay, or defraud the creditors of BLMIS. BLMIS made the Six-Year Transfers to or for the benefit of the Six-Year Transfers Defendants in furtherance of a fraudulent investment scheme.

- 185. Each of the Six-Year Transfers was received by Legacy Capital and/or BNP Paribas with actual intent to hinder, delay or defraud creditors of BLMIS at the time of each of the Six Year Transfers, and/or future creditors of BLMIS.
- 186. As a result of the foregoing, under N.Y. DCL sections 276, 276-a, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Legacy Capital and BNP Paribas: (a) avoiding and preserving the Six-Year Transfers; (b) directing that the Six-Year Transfers be set aside; (c) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS; and (d) recovering attorneys' fees from Legacy Capital and BNP Paribas.

<u>COUNT FOUR: FRAUDULENT TRANSFER - N.Y. DCL §§ 273 AND 278 AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551</u>

Legacy Capital and BNP Paribas

- 187. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 188. At all times relevant to the Six-Year Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 189. Each of the Six-Year Transfers constituted a conveyance by BLMIS as defined under N.Y. DCL section 270.
 - 190. BLMIS did not receive fair consideration for the Six-Year Transfers.
- 191. BLMIS was insolvent at the time it made each of the Six-Year Transfers or, in the alternative, BLMIS became insolvent as a result of each of the Six-Year Transfers.

192. As a result of the foregoing, under N.Y. DCL sections 273, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Legacy Capital and BNP Paribas: (a) avoiding and preserving the Six-Year Transfers; (b) directing that the Six-Year Transfers be set aside; and (c) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS.

<u>COUNT FIVE: FRAUDULENT TRANSFER – N.Y. DCL §§274, 278 AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551</u>

Against Legacy Capital and BNP Paribas

- 193. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 194. At all times relevant to the Six-Year Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 195. Each of the Six-Year Transfers constituted a conveyance by BLMIS as defined under N.Y. DCL section 270.
 - 196. BLMIS did not receive fair consideration for the Six-Year Transfers.
- 197. At the time BLMIS made each of the Six-Year Transfers, BLMIS was engaged or was about to engage in a business or transaction for which the property remaining in its hands after each of the Six-Year Transfers was an unreasonably small capital.
- 198. As a result of the foregoing, under sections 274, 278 and/or 279 of the N.Y. DCL, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee

is entitled to a judgment against Legacy Capital and BNP Paribas: (a) avoiding and preserving the Six-Year Transfers; (b) directing that the Six-Year Transfers be set aside; and (c) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS.

<u>COUNT SIX: FRAUDULENT TRANSFER – N.Y. DCL §§ 275, 278 AND/OR 279,</u> AND 11 U.S.C. §§ 544, 550(a), AND 551

Against Legacy Capital and BNP Paribas

- 199. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 200. At all times relevant to the Six-Year Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 201. Each of the Six-Year Transfers constituted a conveyance by BLMIS as defined under N.Y. DCL § 270.
 - 202. BLMIS did not receive fair consideration for the Six-Year Transfers.
- 203. At the time BLMIS made each of the Six-Year Transfers, BLMIS had incurred, was intending to incur, or believed that it would incur debts beyond its ability to pay them as the debts matured.
- 204. As a result of the foregoing, under sections 275, 278 and/or 279, sections 544(b) of the N.Y. DCL, 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Legacy Capital and BNP Paribas: (a) avoiding and preserving the Six-Year Transfers; (b) directing that the Six-Year Transfers be set aside; and (c) recovering

the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS.

COUNT SEVEN: RECOVERY OF ALL FRAUDULENT TRANSFERS – N.Y. CPLR §§ 203(g) and 213(8) AND N.Y. DCL §§ 276, 276-a, 278 AND/OR 279, 11 U.S.C. §§ 544, 550(a), AND 551

Against Legacy Capital, BNP Paribas, and the Pre-Legacy Accountholder Defendants

- 205. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 206. At all times relevant to the Transfers, the fraudulent scheme perpetrated by BLMIS was not reasonably discoverable by at least one unsecured creditor of BLMIS.
- 207. At all times relevant to the Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 208. Each of the Transfers constituted a conveyance by BLMIS as defined under N.Y. DCL § 270.
- 209. Each of the Transfers was made by BLMIS with the actual intent to hinder, delay, or defraud the creditors of BLMIS. BLMIS made the Transfers to or for the benefit of Legacy Capital, BNP Paribas, HCH, Montpellier, Inversiones, Aurora, and Olympus in furtherance of a fraudulent investment scheme.
- 210. Each of the Transfers was received by Legacy Capital, BNP Paribas, HCH, Montpellier, Inversiones, Aurora, and Olympus with actual intent to hinder, delay or defraud creditors of BLMIS at the time of each of the Transfers, and/or future creditors of BLMIS.

211. As a result of the foregoing, under N.Y. CPLR §§ 203(g) and 213(8), sections 276, 276-a, 278 and/or 279 of the N.Y. DCL, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Legacy Capital, BNP Paribas, HCH, Montpellier, Inversiones, Aurora, and Olympus: (a) avoiding and preserving the Transfers; (b) directing that the Transfers be set aside; (c) recovering the Transfers, or the value thereof, from Legacy Capital, HCH, Montpellier, Inversiones, Aurora, and Olympus for the benefit of the estate of BLMIS; and (d) recovering attorneys' fees from Legacy Capital, BNP Paribas, HCH, Montpellier, Inversiones, Aurora, and Olympus.

<u>COUNT EIGHT: RECOVERY OF SUBSEQUENT TRANSFERS – N.Y. CPLR 203(g)</u> and 213(8), N.Y. DCL §§ 273 - 279 AND 11 U.S.C. §§ 544, 548, 550(a), AND 551

Against the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier

- 212. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 213. Each of the Transfers are avoidable under sections 544 and 548 of the Bankruptcy Code, N.Y. CPLR 203(g) and 213(8), N.Y. DCL §§ 273-276, and SIPA § 78fff-2(c)(3).
- 214. At all times relevant to the Transfers, the fraudulent scheme perpetrated by BLMIS was not reasonably discoverable by at least one unsecured creditor of BLMIS.
- 215. At all times relevant to the Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.

- 216. On information and belief, the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier received Subsequent Transfers, which are recoverable under Section 550(a) of the Bankruptcy Code.
- 217. Each of the Subsequent Transfers was made directly or indirectly to, or for the benefit of, the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier.
- 218. The Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier are immediate or mediate transferees of the Subsequent Transfers.
- 219. Each of the Subsequent Transfers was received by the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier with actual intent to hinder, delay, or defraud creditors of BLMIS at the time of each of the Subsequent Transfers
- 220. As a result of the foregoing, under N.Y. DCL §§ 278 and/or 279, section 550(a) of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier recovering the Subsequent Transfers, or the value thereof, for the benefit of the estate of BLMIS, and attorneys' fees from the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier.

COUNT NINE: UNJUST ENRICHMENT

Against the Mayers, BNP Paribas, and the Khronos Defendants

- 221. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Amended Complaint as if fully rewritten herein.
- 222. The Mayers, BNP Paribas, and the Khronos Defendants have all been unjustly enriched. They have wrongfully and unconscionably benefited from the receipt of stolen money from BLMIS and from Legacy Capital's investors, for which they did not in good faith provide

fair value. These defendants were further unjustly enriched as a result of aiding, abetting, enabling, and substantially perpetuating a fraudulent scheme.

- 223. During Legacy Capital's investment with BLMIS, the Mayers, BNP Paribas, and the Khronos Defendants earned millions from fees and interest. These fees and interest took the form of management fees, custodial fees, advisory fees, incentive fees, and interest payments.

 None of this money has been returned to the Trustee for distribution to BLMIS's customers who lost billions of dollars in the Ponzi scheme.
- 224. As alleged herein, the Mayers, BNP Paribas, and the Khronos Defendants were faced with significant evidence that BLMIS was engaged in fraudulent activity. Additionally, their financial expertise and capacities as financial fiduciaries put them in a position to uncover the fraudulent activity. Despite being on inquiry notice of Madoff's fraud, they continued to take in millions of dollars in fees and interest of BLMIS at the expense of BLMIS's customers.
- 225. Accordingly, equity and good conscience demand that the Mayers, BNP Paribas, and the Khronos Defendants not retain any fees or interest earned through the activities described in their complaint, all of which should rightfully be paid to the customer fund for distribution by the Trustee.

WHEREFORE, the Trustee respectfully requests that this Court enter judgment in favor of the Trustee and against Defendants as follows:

i. On the First Claim for Relief, under sections 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code and section 78fff-2(c)(3) of SIPA: (i) avoiding and preserving the Two-Year Transfers; (ii) directing that the Two-Year Transfers be set aside; and (iii) recovering the Two-

Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS;

- ii. On the Second Claim for Relief, under sections 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Two-Year Transfers; (ii) directing that the Two-Year Transfers be set aside; and (iii) recovering the Two-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS;
- iii. On the Third Claim for Relief, under sections 276, 276-a, 278 and/or 279 of the N.Y. DCL, sections 544, 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Six-Year Transfers; (ii) directing that the Six-Year Transfers be set aside; (iii) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS; and (iv) recovering attorneys' fees from Legacy Capital and BNP Paribas;
- iv. On the Fourth Claim for Relief, under sections 273, 278 and/or 279 of the N.Y. DCL, sections 544, 550(a), 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Six-Year Transfers; (ii) directing that the Six-Year Transfers be set aside; and (iii) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS;
- v. On the Fifth Claim for Relief, under sections 274, 278 and/or 279 of the N.Y. DCL, sections 544 and 550(a) of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Six-Year Transfers; (ii) directing that the Six-Year Transfers be set aside; and (iii) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS;

- vi. On the Sixth Claim for Relief, under sections 275, 278 and/or 279 of the N.Y. DCL, sections 544, 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Six-Year Transfers; (ii) directing that the Six-Year Transfers be set aside; and (iii) recovering the Six-Year Transfers, or the value thereof, from Legacy Capital and BNP Paribas for the benefit of the estate of BLMIS;
- vii. On the Seventh Claim for Relief, under N.Y. CPLR §§ 203(g) and 213(8), and N.Y. DCL §§ 276, 276-a, 278, and/or 279, 11 U.S.C. §§ 544, 550(a), and 551, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (a) avoiding and preserving the Transfers; (b) directing that the Transfers be set aside; (c) recovering the Transfers, or the value thereof, from Legacy Capital, BNP Paribas, and the Pre-Legacy Accountholder Defendants for the benefit of the estate of BLMIS; and (d) recovering attorneys' fees from Legacy Capital, BNP Paribas, and the Pre-Legacy Accountholder Defendants;
- viii. On the Eighth Claim for Relief, under N.Y. DCL §§ 273 to 279, 11 U.S.C. § 544, 548, 550(a), and 551, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (a) avoiding and preserving the Transfers; (b) directing that the Transfers be set aside; and (c) recovering the Subsequent Transfers, or the value thereof, from the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier for the benefit of the estate of BLMIS, and recovering attorneys' fees against the Mayers, the Khronos Defendants, BNP Paribas, HCH, and Montpellier.
- ix. On the Ninth Claim for Relief, the Trustee is entitled to a judgment directing that all Customer Property, management fees, custodial fees, advisory fees, incentive fees, interest payments, and any other payments unjustly received by the Mayers, BNP Paribas, and the

Khronos Defendants in connection with activities facilitating investment with BLMIS be

recovered by the Trustee for the benefit of the consolidated estate of BLMIS.

x. On all Claims for Relief, under federal common law and N.Y. CPLR §§ 5001 and

5004, awarding the Trustee prejudgment interest from the date on which the Transfers were

received;

xi. On all Claims for Relief, establishment of a constructive trust over the proceeds of

the transfers in favor of the Trustee for the benefit of BLMIS's estate;

xii. On all Claims for Relief, assignment of Defendants' rights to seek refunds from the

government for federal, state, and local taxes paid on the Transfers during the course of the

scheme;

Of Counsel:

Emily Howard

Deborah H. Renner

Gonzalo S. Zeballos Mark A. Kornfeld

xiii. On all Claims for Relief, awarding the Trustee all applicable interest, costs, and

disbursements in this action; and

xiv. On all Claims for Relief, granting the Trustee such other, further, and different

relief as the Court deems just, proper, and equitable.

Dated: New York, New York

December 6, 2010

/s/ David J. Sheehan

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111

Telephone: 212.589-4200

Facsimile: 212.589.4201

David J. Sheehan

Oren J. Warshavsky

Timothy S. Pfeifer

Keith R. Murphy

Marc Skapof

Marc Skapor

Marco Molina

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Case 1:11-cv-07764-JSR Document 18-1 Filed 02/24/12 Page 62 of 95 Exhibit A

BLMIS Account 1	Name	BLMIS Account Number
LEGACY CAPITAL LIMITED C/O LEED MANAGEMENT LTD	REDACTED	1FR0 7 1
MONTPELLIER INTERNATIONAL LDC C/O QUINN & HAMPSON	REDACTED	1FN027
INVERSIONES COQUE S REDACTED		1FN047
AURORA RESOURCES LIMITED		1FN067
OLYMPUS ASSETS LDC REDACTED		1FR034
HCH MANAGEMENT COMPANY LIMITED	REDACTED	1FR055

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
		Transaction	Amount per	<u>90-Day</u> <u>Preferential</u>	2-Year Fraudulent	2-Year Fraudulent Transfers -	2-Year Fraudulent	6-Year Fraudulent	<u>6-Year Fraudulent</u> <u>Transfers -</u>	6-Year Fraudulent	<u>Full History</u> <u>Frandulent</u>	<u>Full History</u> <u>Fraudulent Transfers -</u>	Full History Frandulent
Date		<u>Description</u>	Customer Statement	<u>Transfers</u>	Transfers - Principal	Fictitious Profits	<u>Transfers - Total</u>	Transfers - Principal	Fictitious Profits	<u>Transfers - Total</u>	Transfers - Principal	Fictitious Profits	Transfers - Total
5/18/1992 5/18/1992	W/H TAX DIV T W/H TAX DIV AXP		232 88								232 88		232 88
5/18/1992 6/15/1992 6/15/1992	W/H TAX DIV BMY W/H TAX DIV BA W/H TAX DIV XON		404 59 590								404 59 590		404 59 590
6/15/1992 6/15/1992	WH TAX DIV MOB WH TAX DIV F		187 421	13			1				187 421		187 421
6/15/1992 6/30/1992	W/H TAX DIV DD W/H TAX DIV GM		257 421										257 421
6/30/1992 7/15/1992	W/H TAX DIV AIG W/H TAX DIV GE		15 322								15 322		15 322
7/15/1992 7/15/1992	WH TAX DIV KO WH TAX DIV EK		131 410										131 410
7/15/1992 7/30/1992	WH TAX DIV WMT	RVES SBI W/H TAX DIV FCRXX	37 258	.1			i				37 258		37 258
8/17/1992 8/17/1992	WH TAX DIV T W/H TAX DIV AXP		309 117								309 117		309 117
8/17/1992 8/25/1992	WH TAX DIV BMY FIDELITY CASH RESE	RVES SBI W/H TAX DIV FCRXX	53 8 83								53 8 83		538 83
9/15/1992 9/15/1992	WH TAX DIV MOB WH TAX DIV BA		2.50 78	-							250 78		250 78
9/15/1992 9/15/1992	WH TAX DIV XON W/H TAX DIV JNJ		786 323								786 323		786 323
9/15/1992 9/30/1992	W/H TAX DIV AIG		326 22								326 22		326 22
	W/H TAX DIV WMT W/H TAX DIV KO		49 175								49 175		49 175
10/15/1992	WH TAX DIV GE WH TAX DIV EK WH TAX DIV AXP		460 546 11 7								460 546 117		460 546 117
11/16/1992	W/H TAX DIV BMY W/H TAX DIV T		538 309								538		538 309
12/15/1992	W/H TAX DIV BA W/H TAX DIV JNJ		93 385				·				93		93 385
	WH TAX DIV MOB		250 108					<u>-</u>		-	250 108		250 108
12/15/1992	WH TAX DIV DD WH TAX DIV XON		379 937							<u>-</u>	379		379 937
12/30/1992		RVES SBI WH TAX DIV FCRXX	93 175	-						-	93		93 1 75
12/31/1992 1/15/1993	WH TAX DIV AIG WH TAX DIV MRK		34 38							-	34		34 38
1/15/1993 1/15/1993	W/H TAX DIV EK		651 605								651 605		651 605
1/15/1993 2/16/1993	W/H TAX DIV WMT		59 670								59 670	_	59 670
2/16/1993 3/1/1993	W/H TAX DIV T W/H TAX DIV F		358 108		_			-		-		-	358 108
3/5/1993 3/9/1993	W/H TAX DIV BA W/H TAX DIV JNJ		93 385							-	93 385		93 385
3/10/1993 3/10/1993	W/H TAX DIV MOB W/H TAX DIV XON		250 937										250 937
3/15/1993 3/15/1993		RVES SBI WII TAX DIV FCRXX	379 106	-						-			379 106
3/19/1993 3/31/1993 4/1/1993	W/H TAX DIV AIG W/H TAX DIV PEP		43 20 24							-	43 20 24		43 20 24
4/1/1993 4/1/1993	W/H TAX DIV S W/H TAX DIV KO W/H TAX DIV EK		24 253 696				-			-	24 253 696	-	253 696
4/12/1993 4/20/1993	WH TAX DIV WMT	RVES SBI W/H TAX DIV FCRXX	44 25								44 25		44 25
4/26/1993 5/3/1993	WH TAX DIV GE W/H TAX DIV T	RVES SBI WII 1AA BIV PCRAA	590 445										699 445
		RVES SBI W/H TAX DIV FCRXX	177								117 8		17
6/1/1993 6/1/1993	W/H TAX DIV F W/H TAX DIV AXP		295 25								295 25		295 25
6/8/1993 6/14/1993	FIDELITY CASH RESE W/H TAX DIV MMM	RVES SBI W/H TAX DIV FCRXX	15 209			<u> </u>					1.5 209		15 209
6/18/1993 6/30/1993	WH TAX DIV MCD W/H TAX DIV PEP		41 161							<u> </u>	41 161		41 161
7/1/1993 7/1/1993	W/H TAX DIV KO W/H TAX DIV EK		282 189								189		282 189
7/1/1993 7/1/1993	W/H TAX DIV SLB W/H TAX DIV MRK		113 315		<u> </u>	<u> </u>		<u> </u>			315		113 315
7/1/1993 7/9/1993	W/H TAX DIV S W/H TAX DIV WMT		151 91								151 91		151 91
	W/H TAX DIV GE	RVES SBI WIH TAX DIV PCRXX	32 556			······		· · · · · · · · · · · · · · · · · · ·			556		32 556 342
8/2/1993	W/H TAX DIV BEL W/H TAX DIV BMY W/H TAX DIV T		342 367 506	3	-						367		342 367 506
8/2/1993	W/H TAX DIV AIT		235 127			-	· ·	:	· ·		235		235 127
8/16/1993 8/20/1993	FIDELITY CASH RESE WH TAX DIV DIS	RVES SBI W/H TAX DIV FCRXX	12, 12 40		-						12		12 12 40
9/1/1993	W/H TAX DIV F W/H TAX DIV AN		264 363								264		264 36 3
9/10/1993	WH TAX DIV MOB WH TAX DIV XON		422 1,140								422		422 1,140
9/10/1993	W/H TAX DIV IBM W/H TAX DOV DD		165 348		· ·						165		165 348
	W/H TAX DIV ARC		355										355

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11 <u>Full History</u>	Column 12	Column 13 <u>Full History</u>
<u>Date</u>		Transaction Description	Amount per Customer Statement	90-Day Preferential <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Frandulent Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	Frandulent Transfers - Total
9/17/1993	WH TAX DIV AIC WH TAX DIV MCD	erves sbi wih tax div forxx	39 42 25								39 42 25		39 42 25
9/30/1993 10/1/1 993	W/H TAX DIV PEP W/H TAX DIV MRK	EVES OB! WIR IAA DIV PCRAA	144 397								144 397		144 39 7
10/1/1993 10/1/1993 10/1/1993	W/H TAX DIV KO W/H TAX DIV EK W/H TAX DIV S		263 194 155					-			263 194 155		263 194 155
	W/H TAX DIV WMT W/H TAX DIV HWP W/H TAX DIV GE		75 65								75 65	<u> </u>	75 65 6 50
11/1/1993 11/1/1 993	W/H TAX DIV AIT WH TAX DIV BMY		630 391 599			<u>.</u>			<u>.</u>		391 5 99		391 5 99
11/1/1993 11/1/1993 11/10/1993	WH TAX DIV T WH TAX DIV BEL FIDELITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	659 446 56								659 446 56		659 446 56
11/19/1993 12/1/1993	W/H TAX DIV DIS W/H TAX DIV INTC		52 33	<u> </u>			<u> </u>			-	52 33		52 33
	WH TAX DIV F WH TAX DIV JNJ WH TAX DIV MOB		333 303 566							-	333 303 566		333 303 566
12/10/1993 12/10/1993	WH TAX DIV AN WH TAX DIV GM WH TAX DIV IBM		366 133 208					-			366 133 208		366 133 208
12/10/1993 12/13/1993	W/H TAX DIV XON W/H TAX DIV MMM		1,319 281								1,319 281		1,319 281
12/14/1993	WH TAX DIV DD FIDELITY CASH RESE WH TAX DIV ARC	RVES SBI W/H TAX DIV FCRXX	513 5 233		<u>.</u>		: :	<u> </u>	-		513 5 233		513 5 233
12/15/1993 12/17/1993	WH TAX DIV KO WH TAX DIV AIG		346 51	<u>-</u>							346 51		346 51
1/3/1994 1/3/1994	WH TAX DIV MCD WH TAX DIV S WH TAX DIV MRK		55 202 522								55 202 522		55 202 522
1/3/1994 1/3/1994 1/5/1994	W/H TAX DIV EK W/H TAX DIV PEP W/H TAX DIV WMT		254 190 99				1				254 190 99	1	254 190 99
1/11/1994 2/1/1994	FIDELITY CASH RESE WH TAX DIV BEL		22 447								22 447		22 4d7
2/15/1994 2/18/1994 3/1/1994	FIDELITY CASH RESE WIT TAX DIV DIS WIT TAX DIV F	ERVES SBI	28 46 281								28 46 281		28 46 281
3/1/1994 3/8/1994	W/H TAX DIV INTO W/H TAX DIV JNJ		32 246								32 246		32 246
3/8/1994 3/10/1994 3/10/1994	PIDELITY CASH RESE WH TAX DIV XON WH TAX DIV AN	ERVES SEI WIH TAX DIV FORXX	16 1,289 386								16 1,289 386		16 1,289 386
3/10/1994 3/10/1994 3/10/1994	W/H TAX DIV IBM W/H TAX DIV MOB W/H TAX DIV GM		193 477 204	-				-			193 477 204		193 477 204
3/14/1994 3/14/1994	W/H TAX DIV MMM W/H TAX DIV DD		280 417								280 417		280 417
3/14/1994 3/15/1994 3/18/1994	WH TAX DIV BAC WH TAX DIV ARC WH TAX DIV MCD		199 292 57								199 292 57		199 292 57
	W/H TAX DIV AIG W/H TAX DIV PEP W/H TAX DIV S		46 187 227							-	46 187 227		46 187 227
4/4/1 994 4/4/1994	W/H TAX DIV KO W/H TAX DIV MRK		364 506								364 506		364 506
4/13/1994 4/20/1994 4/25/1994	WH TAX DIV HWP FIDELITY CASH RESE WH TAX DIV GE	RVES SBI W/H TAX DIV FCRXX	92 9 867					:		:	92 9 867		92 9 867
4/29/1994 5/2/1994	W/H TAX DIV DOW W/H TAX DIV BMY		284 586			_					284 586		284 586
5/2/1994 5/2/1994 5/2/1994	W/H TAX DIV T W/H TAX DIV AIT W/H TAX DIV BEL		701 385 481	15				-			701 385 481		701 385 481
5/10/1994 5/19/1994 5/20/1994	WH TAX DIV AXP FIDELITY CASH RESE WH TAX DIV DIS	ERVES SBI W/H TAX DIV FCRXX	7 13 58								7 13 58		7 13 58
6/1/1994 6/3/1994	W/H TAX DIV F W/H TAX DIV BA		368 13						-		368 13		368 13
	W/H TAX DIV JNJ W/H TAX DIV AN W/H TAX DIV MOB		313 442 544								313 442 544		313 442 544
6/10/1994 6/10/1994	W/H TAX DIV IBM W/H TAX DIV XON		226 1,480								226 1,480		226 1,480
6/13/1994 6/13/1994	WH TAX DIV GM WH TAX DIV DD WH TAX DIV MMM		234 479 291						<u>.</u>	_			234 479 291
6/14/1994 6/14/1994	WH TAX DIV ARC WH TAX DIV BAC	ERVES SBI W/H TAX DIV FCRXX	330 226 16								330		330 226 16
6/17/1994 6/17/1994	WH TAX DIV MCD WH TAX DIV AIG	A. LO SIDI WILL IAA DIV FCRAA	72 52								72 52		72 52
6/30/1994	W/H TAX DIV CCI W/H TAX DIV PEP W/H TAX DIV MRK		9 239 584		-	•		-			9 239 584		9 239 584
7/1/1994 7/1/1994	W/H TAX DIV EK W/H TAX DIV MCIC		22 2								22 2		22 2
	W/H TAX DIV KO W/H TAX DIV S		404 254								404 2 54		404 254

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
	Transaction	Amount per	<u>90-Day</u> <u>Preferential</u>	2-Year Fraudulent	<u>2-Year Fraudulent</u> <u>Transfers -</u>	2-Year Fraudulent	6-Year Fraudulent	<u>6-Year Fraudulent</u> <u>Transfers -</u>	6-Year Fraudulent	<u>Full History</u> <u>Frandulent</u>	<u>Full History</u> <u>Fraudulent Transfers -</u>	<u>Full History</u> <u>Fraudulent</u>
Date	<u>Description</u>	Customer Statement	<u>Transfers</u>	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total
7/8/1994 7/11/1994	W/H TAX DIV WMT FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	182								182		182 6
7/13/1994 7/15/1994 7/25/1994	W/H TAX DIV HWP W/H TAX DIV C W/H TAX DIV GE	122 14 995								122 14 995		122 14 995
7/29/1994 8/1/1994	WH TAX DIV DOW WH TAX DIV BMY	309 641								309 641		309 641
8/1/1994 8/1/1994	WH TAX DIV AIT WH TAX DIV T	423 771										423 771
8/1/1994 8/15/1994	W/H TAX DIV BEL FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	528								528 23		528 23
8/17/1994 8/19/1994	WH TAX DIV CCI WH TAX DIV DIS	12 64										12 64
9/1/1994 9/1/1994	WH TAX DIV F WH TAX DIV INTC	384 0							i	384 0		384 0
9/1/1994 9/2/1994	WH TAX DIV INTO WH TAX DIV BA	2 19								2 19		2 19
9/6/1994 9/12/1994	W/H TAX DIV INI W/H TAX DIV AN	327 462								462		327 462
9/12/1994 9/12/1994	WH TAX DIV GM WH TAX DIV MOB	245 567	<u>.</u>	•		:				567	÷	245 567
9/12/1994 9/12/1994	WH TAX DIV IBM WH TAX DIV XON	237 1,545								1,545		237 1,545
9/12/1994 9/12/1994	W/H TAX DIV DD FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX					<u> </u>				536 13		536 13
9/12/1994 9/15/1994 9/15/1994	W/H TAX DIV MMM W/H TAX DIV BAC	305 236 345	-	<u> </u>	·	_				236		305 236
9/16/1994 9/16/1994	WH TAX DIV ARC WH TAX DIV AIG WH TAX DIV MCD	62 2	<u> </u>			<u> </u>				62 2		345 62 2
9/30/1994 10/3/1994	WH TAX DIV PEP WH TAX DIV EK	249 32					·			249		249 32
10/3/1994 10/3/1994	WH TAX DIV MRK WH TAX DIV WMT	654 189		·	-	<u>.</u>	_			654		654 189
10/3/1994 10/11/1994	W/H TAX DIV KO FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	422 5				_				422 5		422 5
10/12/1994	WH TAX DIV HWP WH TAX DIV C	128 21	-			-				128 21		128 21
	WH TAX DIV GE WH TAX DIV DOW	1,041 322								1,041		1,041 322
11/1/1994 11/1/1994	W/H TAX DIV T W/H TAX DIV BMY	805 669										805 669
11/1/1994 11/1/1994		443 265				-				443 265		443 265
11/1/1994 11/1 5/1994	W/H TAX DIV BEL FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	551 8										551 8
12/1/1994	WH TAX DIV CCI WH TAX DIV INTC	89 36	-									89 36
12/1/1994 12/6/1994 12/9/1994	W/H TAX DIV F W/H TAX DIV JNJ W/H TAX DIV MCIC	391 287 25				-				391 287 25		391 287 25
12/12/1994	WH TAX DIV MMM WH TAX DIV GM	279 230										279 230
12/12/1994	WH TAX DIV AN WH TAX DIV XON	414 1,396										414 1,396
12/12/1994	WH TAX DIV MOB WH TAX DIV IBM	5 39 218								539 218		539 218
12/14/1994	WH TAX DIV BAC WH TAX DIV DD	222 577										222 577
	WH TAX DIV KO FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	386 0								386 0		386 0
12/16/1994	W/H TAX DIV ARC W/H TAX DIV MCD	327 64				-				64		327 64
1/3/1995	WH TAX DIV AIG WH TAX DIV MRK	ت د 582								55 582		5 5 582
1/3/1995 1/3/1995	WH TAX DIV S WH TAX DIV EK	206 206								206 206		206 206
1/3/1995 1/5/1995	WH TAX DIV PEP WH TAX DIV WMT	214 145			<u> </u>	<u>.</u>	·			145		214 145
1/13/1995 2/13/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	39 21 220								39 21 220		39 21
2/17/1995 3/1/1995 3/1/1995	WH TAX DIV CCI WH TAX DIV INTC WH TAX DIV F	44 470								44		220 44 470
3/3/1995 3/6/1995	WH TAX DIV BA WH TAX DIV SO	147 388			<u>.</u>	<u> </u>				147 358		147 358
3/7/1995	WH TAX DIVINI WH TAX DIV GM	340 274		-		-				340 274		340 274
3/10/1995	WH TAX DIV XON WH TAX DIV IBM	1,687 2 57				·	_			1,687		1,687 2 57
3/10/1995 3/10/1995	W/HTAX DIV AM WH TAX DIV MOB	557 582			•		-		-	557 582		557 582
3/13/1995 3/14/1995	W/H TAX DIV MMM W/H TAX DIV DD	368 5 75				-			-	368 57 5		368 57 5
3/14/1995 3/15/1995	W/H TAX DIV BAC WH TAX DIV ARC	292 400			-	_				292 403		292 403
3/17/1993	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV MCD	76	-		-	-		-	-	26 76	-	26 76
4/3/1995	W/H TAX DIV PEP W/H TAX DIV EK	273 235					-		-			273 235
4/3/1995 4/3/1995	W/H TAX DIV KO W/H TAX DIV MRK	538 704										538 704
4/3/1995	W/H TAX DIV S	235	-	•	•	-	-	-	-	235	•	235

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Column 1		Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
<u>Date</u>		Transaction Description	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	Frandulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	<u>Fraudulent</u> <u>Transfers - Total</u>
4/3/1995 4/12/1995 4/17/1993	WH TAX DIV AIG WH TAX DIV HWP WH TAX DIV WMT		62 132 205		1				<u>.</u>		62 132 205		62 132 205
4/17/1995 4/24/1995 4/25/1995	W/H TAX DIV C FIDELITY CASH RESE W/H TAX DIV GE	ERVES SBI WIH TAX DIV PCRXX	235 85 1,263								235 85 1,263		235 85 1,263
4/28/1995 5/1/1995 5/1/1995	WH TAX DIV DOW WH TAX DIV AIT WH TAX DIV		318 489 1,000				-				318 489 1,000		318 489
5/1/1995 5/1 /1995	W/H TAX DIV BMY W/H TAX DIV DEL		651 548								651 548		1,000 651 548
5/1/1995 5/19/1995 5/23/1995	WH TAX DIV CCI WH TAX DIV DIS FIDELITY CASH RESE	RVES SBI W/H TAX DIV FCRXX	196 88 17								196 88 17		196 88 17
6/1/1995 6/1/1995 6/2/1995	W/H TAX DIV F W/H TAX DIV INTC W/H TAX DIV BA		539 42 141								539 42 141		539 42 141
6/6/1995 6/6/1995	W/H TAX DIV JNJ W/H TAX DIV SO		359 332								359 332		359 332
6/12/1995 6/12/1995 6/12/1995	W/H TAX DIV XON W/H TAX DIV DD W/H TAX DIV IBM		1,566 475 250								1,566 475 250		1,566 475 250
6/12/1995 6/12/1995 6/12/1995	WH TAX DIV MMM WH TAX DIV GM WH TAX DIV MOB		327 378 604								327 378 604		327 378 604
6/12/1995 6/14/1995	W/H TAX DIV AN W/H TAX DIV BAC		496 28 0	-	-	<u>-</u>	<u>.</u>	-			496 28 0		496 28 0
6/15/1995 6/16/1995 6/16/1995	W/H TAX DIV ARC W/H TAX DIV AIG W/H TAX DIV MCD		359 60 79	- -							359 50 79		359 50 79
6/19/1995 6/23/1995 6/30/1995	FIDELITY CASH RESE WH TAX DIV MCIC WH TAX DIV PEP	RVES SBI W/H TAX DIV FCRXX	38 29 270								38 29 270		38 29 270
7/3/1995 7/3/1995	W/H TAX DIV SLB W/H TAX DIV KO		147 479							-	147 479		147 479
7/3/1995 7/3/199 5 7/10/1995	W/H TAX DIV EK W/H TAX DIV MRK W/H TAX DIV WMT		226 653 198								226 653 198		226 653 198
7/14/1995 7/19/1995 7/25/1995	WH TAX DIV C FIDELITY CASH RESE WH TAX DIV GE	ERVES SBI W/H TAX DIV FCRXX	305 28 1,203								305 28 1,203		305 28 1,203
7/28/1995 8/1/1995 8/1/1995	W/H TAX DIV DOW W/H TAX DIV T W/H TAX DIV BMY		329 882 648								329 882 648		329 882 648
8/1/1995 8/1/1995	WH TAX DIV BEL W/H TAX DIV AIT		521 460								5 21 460		521 460
8/3/1995 8/10/1995 8/16/1995	WH TAX DIV AIG WH TAX DIV AXP FIDELITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	11 187 56		<u>.</u>		- -			-	11 187 56		11 187 56
8/17/1995 8/18/1995 9/1/1995	W/H TAX DIV CCI W/H TAX DIV DIS W/H TAX DIV INTC		197 79 56								197 79 56		197 79 56
9/1/1995 9/1/1995	WH TAX DIV F W/H TAX DIV BA		54 3 142								5 43 142		5 43 142
9/5/1995 9/6/1995 9/11/1995	WH TAX DIV INJ WH TAX DIV SO WH TAX DIV MOB		361 334 608	<u> </u>	<u>.</u>						361 334 608		361 334 608
9/11/1995 9/11/1995 9/11/1995	FIDELITY CASH RESE WH TAX DIV GM WH TAX DIV AN	RVES SBI W/H TAX DIV FCRXX	7 381 500				-				7 381 500		7 381 500
9/11/1995 9/11/1995 9/12/1995	WH TAX DIV XON WH TAX DIV IBM WH TAX DIV DD		1,5 77 252 478								1,577 252 478		1,5 77 252
9/12/1995 9/15/1995	W/H TAX DIV MMM W/H TAX DIV MCD		332 80								332 80		478 332 80
9/15/1995 9/15/1993 9/15/1995	W/H TAX DIV BAC W/H TAX DIV ARC W/H TAX DIV ARC		284 364 26				-				284 364 26		284 364 26
9/22/1995 9/29/1995 10/2/1995	WH TAX DIV AIG WH TAX DIV PEP WH TAX DIV MRK		58 273 750								58 273 750		58 273 750
10/2/1995 10/2/1995	W/H TAX DIV SLB W/H TAX DIV EK		148 230								148 230		148 230
10/2/1995 10/3/1995 10/16/1995	WH TAX DIV KO WH TAX DIV WMT FIDELITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	551 201 34								551 201 34		551 20 1 34
10/30/1995	WH TAX DIV GE WH TAX DIV DOW WH TAX DIV AIT		1,310 371 518	-	-			-			1,310 371 518		1,310 371 518
11/1/1995 11/1/1995	W/H TAX DIV T W/H TAX DIV NYN		980 451 567			· · · · · · · · · · · · · · · · · · ·			-	_	980		980 451 567
11/1/1995 11/10/1995	W/H TAX DIV BEL W/H TAX DIV BMY W/H TAX DIV AXP		699 203				<u> </u>				609 203		699 203
11/17/1995	WH TAX DIV DIS WH TAX DIV CCI FIDELITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	216 32					-			216		25 216 32
12/1/1995 12/1/1995	W/H TAX DIV BA W/H TAX DIV INTC W/H TAX DIV F		158 59 693		·					-	158		158 59 693
12/5/1995 12/8/1995	WH TAX DIV INJ WH TAX DIV MCIC		386 32								386 32		386 32
12/11/1995	WH TAX DIV AN		540	2	5-					2	540		540

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>		Transaction Description	Amount per Customer Statement	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Total</u>
	W/H TAX DIV IBM W/H TAX DIV MOB		259 666					<u>.</u>			259 666		259 666
12/11/1995	W/H TAX DIV GM W/H TAX DIV XON		405 1.721								405 1.721		405 1,721
12/12/1995	W/H TAX DIV MMM WH TAX DIV DD		360 5 3 8			- -	-			-	360		360 5 3 8
	W/H TAX DIV BAC W/H TAX DIV MCD		311 85								311 85		311 85
12/22/1995	W/H TAX DIV KO FIDELITY CASH RESE	FRVES SBI W/H TAX DIV FCRXX	525 15							_	525 15		525 15
1/2/1996	W/H TAX DIV AIG W/H TAX DIV EK		73 252								73 252		73 252
1/2/1996	W/H TAX DIV MRK WH TAX DIV PEP		796 297		-			-					796 297
1/12/1996	W/H TAX DIV WMT W/H TAX DIV C	PRINCE ON WAITAN DIVIDENT	214 405 6		-		-				214 405 6		214 405
2/20/1996	FIDELITY CASH RESE W/H TAX DIV CCI	ERVES SBI W/H TAX DIV FCRXX ERVES SBI W/H TAX DIV FCRXX	18 340								18 340		6 18 340
3/1/1996	WH TAX DIV COL W/H TAX DIV BA		23 155								23 155		23 155
3/1/1996	WH TAX DIV INTC		59 668								59 668		59 668
3/11/1996	WH TAX DIV XON W/H TAX DIV IBM		1, 632 255								1. 632 255		1,632 255
3/11/1996	W/H TAX DIV MOB W/H TAX DIV GM		657 515								515		657 515
3/12/1996	WH TAX DIV AN WH TAX DIV JNJ		548 381		·					-	548 381		548 381
3/14/1996	WH TAX DIV BAC W/H TAX DIV DD		360 508			<u> </u>					360 508		360 508
3/15/1996	W/H TAX DIV ARC W/H TAX DIV MCD FIDELITY CASH RESI		366 78				<u>-</u>	<u>.</u>		<u> </u>	366 78		366 78
3/22/1996	WH TAX DIV AIG WH TAX DIV PEP	RVES SBI W/II IAX DIV PCRAX	26 65 256			-	<u> </u>			<u> </u>	65		26 65 256
4/1/1996	WH TAX DIV EK WH TAX DIV KO		222 5 22								222 5 22		222 5 22
4/1/1996	W/H TAX DIV S W/H TAX DIV MRK		147 695							_	147 695		147 693
4/2/1996	W/H TAX DIV C W/H TAX DIV WMT		358 199							-	358 199		358 199
4/10/1996	W/H TAX DIV HWP FIDELITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	170 43								170 43		170 43
4/30/1996	W/H TAX DIV GE W/H TAX DIV DOW		1,274 326	_		-	-	-	-	_		_	1,274 326
3/1/1996	W/H TAX DIV BMY W/H TAX DIV T		620 890								620 890		620 890
5/1/1996	W/H TAX DIV AIT W/H TAX DIV NYN		484 411								484 411		484 411
5/2/1996	W/H TAX DIV BEL W/H TAX DIV PNU W/H TAX DIV AXP		532 223 186								532 223 186		532 223 186
5/14/1996	PIDELITY CASH RESE W/H TAX DIV DIS	ERVES SBI W/H TAX DIV FCRXX	180 28 96										28 96
5/17/1996	WH TAX DIV CCI WH TAX DIV INTC		360 57										360 57
6/3/1996	W/H TAX DIV COL W/H TAX DIV F		23 637								23 637		23 637
6/10/1996	W/H TAX DIV BA W/H TAX DIV AN		156 548					<u>.</u>		<u> </u>	156 548		156 548
6/10/1996	WH TAX DIV MOB W/H TAX DIV IBM		667 342					-	9		667 342		667 342
6/12/1996	WH TAX DIV INI WH TAX DIV MMM		424 305								424 305		424 305
6/14/1996	W/H TAX DIV BAC W/H TAX DIV MCD W/H TAX DIV AIG		324 84 62	<u>.</u>			<u> </u>	<u> </u>			324 84 62		324 84
6/25/1996		RVES SBI W/H TAX DIV FCRXX	54 298				:				54 298		62 54 29 8
7/1/1996	W/H TAX DIV WMT W/H TAX DIV KO		197 529								197 5 29		197 5 29
7/1/1996	W/H TAX DIV MRK W/H TAX DIV SLB		690 146			-		-		-	690 146		690 146
7/10/1996	W/H TAX DIV HWP W/H TAX DIV C		207 423								207 423		207 423
7/22/1996 7/25/1996	FIDELITY CASH RESE WIT TAX DIV GE	ERVES SBI W/H TAX DIV FCRXX	49 1, 252			-	<u> </u>		<u>-</u>		49 1, 252		49 1, 252
8/1/1996	W/H TAX DIV DOW W/H TAX DIV AII		292 458				-					i i	292 458
8/1/1996	W/H TAX DIV T		870 225								870 225		870 225
8/1/1996	WH TAX DIV PNU WH TAX DIV BMY		222 616										222 616
8/1/1996	WH TAX DIV NYN WH TAX DIV AVE		408 498 175		-		-				408 498		408 498
8/16/1996	W/H TAX DIV AXP W/H TAX DIV DIS EDGLITY CASH RESE	ERVES SBI W/H TAX DIV FCRXX	175 119 20								175 119 20		175 11 9 20
8/19/1996	WH TAX DIV CCI W/H TAX DIV INTC		388 76										388 76
9/3/1996	WH TAX DIV COL WH TAX DIV F		24 812										24 812
			012								312		012

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Column 1		Column 2	Column 3	Column 4 90-Day	Column 5	Column 6 2-Year Fraudulent	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 Full History
Date		Transaction Description	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Fraudulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	<u>Frandulent</u> <u>Transfers - Total</u>
9/10/1996 V	WH TAX DIV BA WH TAX DIV XON		175 1,778							-	175 1,778		1 75 1,778
9/10/1996 V	WH TAX DIV INI WH TAX DIV GM		472 571 592			<u> </u>	<u>.</u>				472 571 592		472 571 592
9/10/1996 V	WH TAX DIV AN WH TAX DIV MOB WH TAX DIV IBM		720 366				<u>.</u>				720 366		720 366
9/12/1996 F	IDELITY CASH RESE WH TAX DIV BAC	ERVES SBI W/H TAX DIV FCRXX	15 363				_			-	15 363		15 363
9/12/1996 V	WH TAX DIV DD WH TAX DIV ARC		598 37				-		-		598	-	598 37
9/13/1996 V	WH TAX DIV MCD		94 82								94 82		94 82
9/27/1996 V	WH TAX DIV PEP WH TAX DIV EK		330 250								330 250		330 250
10/1/1996 V 10/1/1996 V	V/H TAX DIV KO V/H TAX DIV MRK		584 900				·				584 900		584 900
10/13/1996 F	V/H TAX DIV WMT IDELITY CASH RESE	erves sbi w/h tax div forxx	219 . 13				_				219 13		219 13
11/19/1996 P		RVES SBI W/II TAX DIV FCRXX					-						963 52
12/2/1996 V	WH TAX DIV CCI WH TAX DIV F		372 804				-				372 804		372 804
12/6/1996 V	WH TAX DIV INTC WH TAX DIV BA		78 171										78 171
12/10/1996 V	V/H TAX DIV JNJ V /H TAX DIV XON		438 1,716								438 1,718		438 1,718
12/10/1996 W	V/H TAX DIV GM WH TAX DIV IBM		539 320 566				-			-	539 320 566	i.	539 320 566
12/10/1996 V	V/H TAX DIV AN V/H TAX DIV MOB V/H TAX DIV MMM		500 696 362				-			-			500 696 362
12/12/1996 V	WH TAX DIV MMM WH TAX DIV MTC WH TAX DIV BAC		362 163 352						3				163 352
12/13/1996 V	WH TAX DIV BAC WH TAX DIV MCD WH TAX DIV DD		95 570								95 570		93 93 570
12/16/1996 V	WH TAX DIV KO	RVES SBI W/H TAX DIV FCRXX	533								533 4		5333 4
12/20/1996 V	WH TAX DIV AIG	EVES SET WIT THE ETV T COCK	83 315								83 315		83 315
1/2/1997 V	WH TAX DIV MRK		853 244				:						853 244
	IDELITY SPARTAN I WH TAX DIV WMT	U S TREASURY MONEY MARKET	T 0 210	<u> </u>							0 210		0 210
2/20/1997 V	TDELITY SPARTAN I WH TAX DIV CCI	U S TREASURY MONEY MARKET	r 5 416				<u> </u>						
3/3/1997 V	WH TAX DIV INTC WH TAX DIV F		67 755				<u> </u>				67 755		67 755
3/7/1997 V	WH TAX DIV COL WH TAX DIV BA		22 163						<u> </u>		22 163		22 163
3/10/1997 V	V/H TAX DIV XON V/H TAX DIV GM		1,614 605								605		1,614 605
3/10/1997 V	WH TAX DIV IBM WH TAX DIV MOB		292 707	<u> </u>	<u> </u>		<u>.</u>		<u> </u>		707		292 707
3/11/1997 F		U S TREASURY MONEY MARKET									584 1		584 1
3/12/1997 V	WH TAX DIV JNJ WH TAX DIV MMM WH TAX DIV BAC		412 354 356								412 354 356		412 354 356
3/14/1997 V	WH TAX DIV DD WH TAX DIV PEP		523 253								523	*	523 253
4/1/1997 V	WH TAX DIV KO WH TAX DIV SLB		489 156	·			:				489 156		489 156
4/9/1997 V	WH TAX DIV WMT		219 418				-				219		219 418
4/16/1997 V	V/H TAX DIV HWP	U S TREASURY MONEY MARKET	173 Г 32								173 32		173 32
5/1/1997 V 5/1/1997 V	V/H TAX DIV BEL WH TAX DIV T		453 76 0								453 76 0		453 76 0
	V/H TAX DIV AIT V/H TAX DIV BMY		447 547		_			<u>.</u>		<u>-</u>	447 547	-	447 547
5/12/1997 F		U S TREASURY MONEY MARKET	154 T 18								154 18		154 18
3/19/1997 V	WH TAX DIV DIS WH TAX DIV CCI		129 408				-						129 40 8
6/2/1997 V	V/H TAX DIV F WH TAX DIV COL		853 23				-				853 23	-	853 23
6/10/1997 V	WH TAX DIV INTC		71 687								71 687		71 687
6/10/1997 V	WH TAX DIV AN WH TAX DIV IBM	U S TREASURY MONEY MARKET	575 380								575 380 5		575 380 5
7/9/1997 V	WH TAX DIV HWP	U S IKEASUKI MUNEY MARKE	T 5 223 242								223		123
7/18/1997 F	WH TAX DIV WMT TOELTTY SPARTAN I WH TAX DIV GE	U S TREASURY MONEY MARKET									242 34 1,328		242 34 1,328
8/1/1997 V	WH TAX DIV GE WH TAX DIV BEL WH TAX DIV BMY		502 591								502 591	1	502 591
8/1/1997 V	WH TAX DIV T WH TAX DIV T		830 473										830 473
8/8/1997 V	WH TAX DIV AXP	U S TREASURY MONEY MARKET	162										1 62 5
	WH TAX DIV DIS	in the second second	137						·		137		137

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Company	Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
WILLIAM WILL	<u>Date</u>				Preferential		Transfers -			Transfers -	6-Year Fraudulent Transfers - Total	<u>Fraudulent</u>	Fraudulent Transfers -	<u>Fraudulent</u>
Control	9/12/1997			83								83		83
1965 1965	9/19/1997	W/H TAX DIV AIG	U S TREASURY MONEY MARKET	75					-			75		75 77
STATE OF THE PROPERTY OF THE P	10/1/1997	WH TAX DIV KO		47?					-		-	477	-	345 477
STANDER OF THE CONTROL OF THE CONTRO	10/1/1997	W/H TAX DIV S		125				-	-		-	125	-	125
Marche M	10/10/1997	W/H TAX DIV SLB		131								131		131 214
Market M	10/15/1997 10/15/1997	WH TAX DIV HWP WH TAX DIV C		195 387				<u>-</u>	<u> </u>		<u>-</u>	195 387		195 387
1970 19	10/27/1997	W/H TAX DIV GE	U S TREASURY MONEY MARKET	1,496	<u>.</u>			<u> </u>				1,496		52 1,496
1979 1979	11/3/1997	W/H TAX DIV T		939			·					939		939 553
MAYON OF M	11/3/1997 11/10/1997	W/H TAX DIV BMY W/H TAX DIV AXP		677			·		<u> </u>	· · · · · · · · · · · · · · · · · · ·	-	677		677 189
STATE STAT	11/21/1997	WH TAX DIV DIS	U S TREASURY MONEY MARKET	158		-		-			-	158		15 158
STATE STAT	12/15/1997	WH TAX DIV KO	II S TOFASIIDV MONEV MADVET	484								484	-	484
THE PROPERTY TRANSPORT MICH MARTY AMEN'S	12/19/1997	W/H TAX DIV AIG W/H TAX DIV NB		72								72		72 379
THE PROPERTY OF THE PROPERTY	1/2/1998	WH TAX DIV MRK WH TAX DIV PEP		760 269	·	·	·			·		269	·	760 269
PRINTED PRIN	1/20/1998	FIDELITY SPARTAN	U S TREASURY MONEY MARKET	5								5		5
A THE NOTE OF THE COLOR OF TH	2/24/1998	FIDELITY SPARTAN	U S TREASURY MONEY MARKET	32							<u> </u>	32		32 83
METATION NO. 18 18 18 18 18 18 18 1	3/2/1998 3/2/1998	W/H TAX DIV INTC W/H TAX DIV F		61 626					·			61 626		61 62 6
NY ACE DE VANCE 19	3/10/1998	WH TAX DIV INJ		531							-	531		253 5 3 1
NOTE	3/10/1998	WH TAX DIV XON		1,250								1,250		1,250
STATE OF THE PROPERTY OF THE	3/10/1998	W/H TAX DIV GM		653					-			653		653 678
A	3/12/1998	W/H TAX DIV MMM		387				_			<u>-</u>	387	i i	439 387
1-1-20 1	3/16/1998	W/H TAX DIV DD	I O THE ACT BY MANIEY MANIET	633					· -		- -	633		296 633
15-15-15 15-15-15 15-1	4/3/1998	W/H TAX DIV SLB	u s ireascri munei marrei	170	·	·	·	·		·		170	·	170 296
STORY WIT AND PART STORY	4/15/1998 4/22/1998	W/H TAX DIV HWP FIDELITY SPARTAN	U S TREASURY MONEY MARKET	6										247 6
STATION WIT TAX DO NATE	5/1/1998	W/H TAX DIV T		921		-		-	-		-	921		1,003 921
SPECIAL SECTION SPECIAL SE	3/1/1998	WH TAX DIV BMY		653								633		653
SPIRES S	5/19/1998	FIDELITY SPARTAN	U S TREASURY MONEY MARKET	21					<u> </u>			21		21 176
SACRESS WEAKEN NOTE	6/5/1998 6/9/1998	WH TAX DIV BA WH TAX DIV JNJ		231 549		·		·	<u> </u>		-	231 549		231 549
6701998 WITAX DIV BM	6/10/1998	W/H TAX DIV XON		1,115				<u> </u>		·		1,115		402 1,115
6711798 WH TAX DIV BAC 6712798 WH TAX DIV BAC 6712798 WH TAX DIV DO 6712798 WH TAX DIV DO 6712798 WH TAX DIV DO 6712798 WH TAX DIV MM 67127998 WH TAX D	6/10/1998	W/H TAX DIV IBM	U S TREASURY MONEY MARKET	120								120		120 19
SATION WIT TAX DIV MM	6/11/1998	W/H TAX DIV BAC		400				-	-		······································	400		400 102
CAGNO 198 19	6/12/1998	WH TAX DIV MMM		352							_	352		673 352
SAC	6/26/1998	WH TAX DIV NB		593								593		90 5 93
TALIDUS WHI TAX DIV NO	6/30/1998	W/H TAX DIV PEP	TAX DIV	322								322		322 405
7/3/1998 WH TAX DIV WMT 287	7/1/1998 7/1/1998	WH TAX DIV KO WH TAX DIV MRK		615 882								615 882		615 882
7/21/98 WH TAX DIV C 429	7/13/1998	W/H TAX DIV WMT		287		· · · · · · · · · · · · · · · · · · ·					······································	287		155 287
7/27/98 WH TAX DIV GE 1,616 1,616 1,516	7/15/1998	W/H TAX DIV C	II S TREASURY MONEY MARKET	429			·	•				429		279 429 1
SA1998 WH TAX DIV T	7/27/1998 8/3/1998	WH TAX DIV GE WH TAX DIV AIT	- WAREL MANUEL MOUNTED	1,616 542	-	-	-	-				1,616 542	-	1,616 542
5/31/998 WH TAX DIV BMY	8/3/1998 8/3/1998	WH TAX DIV T		879 990					-		_	879 990	<u>-</u>	879 990
941998 FIDELITY SPARTAN U.S TREASURY MONEY MARKET 1 1 1 - 1 - 1 - 1 -	8/5/1998	FIDELITY SPARTAN	U S TREASURY MONEY MARKET	4	-	·		·		-	-	644 4	-	644 4
930'1998 WHITAX DIV PEP 51 · · · · · · · · · · · · · · 51 · · 51	9/4/1998	FIDELITY SPARTAN 1	U S TREASURY MONEY MARKET	į										179 1 89
	9/30/1998	WH TAX DIV PEP	U S TREASURY MONEY MARKET	51								51		51 1

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	<u>Amount per</u> <u>Customer Statement</u>	90-Day Preferential <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Principal</u>	Full History Fraudulent Transfers - Fictitious Profits	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Total</u>
	DELITY SPARTAN U S TREASURY MONEY MAI				×			×		8	×	8
12/11/1998 W/I 12/15/1998 W/I 12/18/1998 W/I	H TAX DIV KO	45 265 42				-				45 265 42		45 265 42
	DELITY SPARTAN' U S TREASURY MONEY MAI	RKET 44 559										42 44 559
1/4/1999 W/I	H TAX DIV ONE H TAX DIV PEP	315 138								315 138		315 138
1/4/1999 W/1	H TAX DIV MRK H TAX DIV WMT	468 122		<u> </u>						468 122		468 122
1/22/1999 FID	DELITY SPARTAN U S TREASURY MONEY MAI H TAX DIV TXN											3 66
2/16/1999 W/I	H TAX DIV PG DELITY SPARTAN U S TREASURY MONEY MAI	358								358 22		358 22
2/26/1999 W/I	H TAX DIV C H TAX DIV F	810 1,089			<u> </u>					810 1,089		810 1,089
3/1/1999 W/I	H TAX DIV WFC H TAX DIV INTC	588 132								588 132		588 132
3/4/1999 FID	<mark>H TAX DIV BA</mark> DELITY SPARTAN U S TREASURY MONEY MAI							11		269 3		269 3
3/10/1999 W/I	H TAX DIV INJ H TAX DIV XON	660 1,111				•			•	660 1,111		660 1,111
3/10/1999 W/I	H TAX DIV IBM H TAX DIV GM	415 660				-				415 660		415 660
3/31/1999 W/I	H TAX DIV DD H TAX DIV PEP	788 363		·						363		788 363
4/1/1999 W/I	H TAX DIV MCD H TAX DIV KO	1 22 751		·						122 751		1 22 751
4/14/1999 FID	H TAX DIV ONE DELITY SPARTAN U S TREASURY MONEY MAI		<u>.</u>	· .		·			<u> </u>	948 15		948 15
4/26/1999 W/I	H TAX DIV WMT H TAX DIV GE DELITY SPARTAN U S TREASURY MONEY MAI	434 445				<u>.</u>	<u> </u>			445		434 445
5/14/1999 W/I	H TAX DIV PG	79					<u>.</u>			8 79 7		8 79
5/28/1999 W/I	H TAX DIV TXN H TAX DIV C H TAX DIV LU	7 100 21	<u> </u>							100 21		7 100 21
6/1/1999 W/I	H TAX DIV INTC H TAX DIV F	122 115								122 11.5		122 115
6/1/1999 W/I	H TAX DIV WFC H TAX DIV BA	387 248	<u>.</u>							387		387 248
6/8/1999 W/I	H TAX DIV INI H TAX DIV GM	670 601	·			:				670 60 1		670 60 1
6/10/1999 W/I	H TAX DIV IBM H TAX DIV MOB	265 822		-		-	-			265		265 822
6/10/1999 W/I	H TAX DIV XON H TAX DIV DD	1,807 732		-		-			-	1,807 732		1,807 732
6/16/1999 FID	DELITY SPARTAN U S TREASURY MONEY MAI H TAX DIV WMT	RKET 19 275		-						19 275		19 275
7/14/1999 W/I	H TAX DIV HWP DELITY SPARTAN U S TREASURY MONEY MAI	201 RKET 41								201 41		201 41
8/2/1999 W/I	H TAX DIV GE H TAX DIV BMY	1,458 5 24								1,458 5 24		1,458 524
8/2/1999 W/I	H TAX DIV BEL H TAX DIV T	757 86 5	-	-	-		-	-	-	757 865		7.57 865
8/5/1999 W/I	H TAX DIV AIT H TAX DIV AIG	424 14	-		-	-		-		424 14		424 14
8/16/1999 W/I	H TAX DIV AXP H TAX DIV TXN	124 13								124 13		124 13
8/27/1999 38/1	DELITY SPARTAN U S TREASURY MONEY MAI H TAX DIV C	186	-									33 186
9/1/1999 W/I	H TAX DIV LU H TAX DIV F	24 223 133								24 223		24 223
9/1/1999 W/I	H TAX DIV WFC H TAX DIV INTC	133 41 54										133 40 54
9/7/1999 W/I	H TAX DIV BA H TAX DIV INJ H TAX DIV GM	305 128				-				54 303 128		54 305 128
9/10/1999 33/1	H TAX DIV MOB H TAX DIV XON	174 397								174 397		174 397
9/10/1999 W/I	H TAX DIV IBM H TAX DIV DD	36 161						<u>.</u>		86 161		86 161
9/13/1999 W/I	H TAX DIV MMM H TAX DIV MCD	174 119								174 119		174 119
9/17/1999 W/I	H TAX DIV AK) H TAX DIV BAC	14 2 1,426	<u> </u>									142 1,426
9/30/1999 W/I 9/30/1999 FID	H TAX DIV PEP DELITY SPARTAN U S TREASURY MONEY MAI	361								361 23		361 23
10/1/1999 W/I		875 722								875 722		875 722
10/12/1999 W/I		1,268 405								405		1,268 405
10/20/1999 FID	H TAX DIV HWP DELITY SPARTAN U S TREASURY MONEY MAI	298 RKET 7			·			·		7	-	2,98 7
10/ 25/1999 W/ 11/1/1999 W/I	H TAX DIV BEL	2,096 1,086		<u>-</u>						1,086		2,096 1,086
11/1/1999 W/I 11/1/1999 W/I	H TAX DIV T	628 1,266				-		-	<u> </u>	628 1,266		628 1,266
11/1/1999 W/I 11/10/1999 W/I	H TAX DIV AXP	781 183			-					183	<u> </u>	781 183
12/3/1999 W/I	DELITY SPARTAN U S TREASURY MONEY MAI H TAX DIV BA	74								74		0 74
12/7/1999 W/J	H TAX DIV INJ	212		·	i i					212	·	212

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Column 11	Column 12 Full History	Column 13
<u>Date</u>		Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Full History Frandulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	Full History Fraudulent Transfers - Total
	W/H TAX DIV XON W/H TAX DIV GM		615 189							-	615 189		615 189
12/10/1999	W/H TAX DIV MOB W/H TAX DIV IBM		259 127								259 127	<u>.</u>	259 127
12/13/1999	WH TAX DIV MMM WH TAX DIV DD		394 198		<u> </u>						394		394 198
12/17/1999	W/H TAX DIV DIS		238					<u> </u>			238		238
1/11/2000	FIDELITY SPARTAN U	S TREASURY MONEY MARKET S TREASURY MONEY MARKET	14 7								14 7		14 7
2/14/2000	WH TAX DIV BEL W/H TAX DIV TXN		398 58								398 58		398 58
2/24/2000		S TREASURY MONEY MARKET	722 3								722 3		722 3
	WH TAX DIV C W/H TAX DIV LU		91 7 102	<u> </u>	<u> </u>					<u> </u>	917 102	<u> </u>	917 102
	WH TAX DIV WFC W/H TAX DIV F		605 1,038			<u> </u>					605 1,038	<u> </u>	605 1,038
	W/H TAX DIV INTC W/H TAX DIV BA		170 213								170 213		170 213
3/7/2000	W/H TAX DIV JNJ	S TREASURY MONEY MARKET	663				:						663
3/10/2000	WH TAX DIV CM W/H TAX DIV XOM	J III. BORI WORL MINUE	542 2,580								542 2,580		542 2,580
3/10/2000	WH TAX DIV IBM WH TAX DIV DD		357 624								357 624		357 624
3/23/2000	W/H TAX DIV HD		47	2	-		•	-		-	47		47
4/3/2000	W/H TAX DIV PEP W/H TAX DIV KO		207 720	-	-		-	-		-	207 7.20		207 720
4/25/2000	W/H TAX DIV WMT WH TAX DIV GE		466 703							-	466 703		466 703
4/28/2000		S TREASURY MONEY MARKET	91 58										91 58
6/1/2000	W/H TAX DIV INTC	S TREASURY MONEY MARKET	26 74					-					26 74
6/12/2000	W/H TAX DIV WFC W/H TAX DIV GM		272 242								272 242		272 242
6/12/2000	W/H TAX DIV IBM WH TAX DIV XOM		175 2,632	_	-		-	-	-	-	175 2,632		175 2,632
6/13/2000	W/H TAX DIV DD W/H TAX DIV JNJ		621 414		<u>.</u>					<u>.</u>	621 414	·	621 414
	FIDELITY SPARTAN U: WH TAX DIV WMT	S TREASURY MONEY MARKET	39 118				:				39 118		39 118
		S TREASURY MONEY MARKET S TREASURY MONEY MARKET	7 41		·						7 41	·	7 41
	W/H TAX DIV PG WH TAX DIV TXN		455 5 3							-	455 53	-	455 53
	W/H TAX DIV MER W/H TAX DIV C		189 963								189 963		189 963
	W/H TAX DIV LU W/H TAX DIV INTC		108 210								108 210		108 210
9/1/2000	W/H TAX DIV WFC W/H TAX DIV XOM		555 1.335								555 1.335		555 1,335
9/11/2000	W/H TAX DIV IBM	S TREASURY MONEY MARKET	368 4		<u>.</u>		<u> </u>	<u> </u>			368 4		368 4
10/2/2000		S TREASURY MONEY MARKET	1 387		<u> </u>		<u> </u>				1 387	D	1 387
10/10/2000	W/H TAX DIV WMT W/H TAX DIV HWP		248 258								-0.	248 258	248 258
11/1/2000	W/H TAX DIV T	S TREASURY MONEY MARKET	1,355 2		<u>.</u>							1,355 2	1,355 2
12/7/2000		S TREASURY MONEY MARKET	2 2 5,258		·	·	·	·	·		·	2 5.258	2 2 5,258
12/21/200U	CHECK		5,238 Total: =	\$ -	s -	\$ -	\$ -	s -	S -	\$ -	\$ 283,901	\$ 7,124	\$ 291,025

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	Amount per Customer Statement	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Total</u>
3/5/1993	W/H TAX DIV BA	30	Transiers			Transacts - Total			manards - Total	30		30
3/9/1993 3/10/1993 3/10/1993	WH TAX DIV JNJ WH TAX DIV IBM WH TAX DIV MOB	55 97 96					<u> </u>			55 97 96		55 97 96
3/10/1993	W/H TAX DIV XON	302 48					-			302		302 48
3/15/1993	W/H TAX DIV DD FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	79 17	-	-				-			-	79 17
3/19/1993 3/31/1993 4/1/1993	W/H TAX DIV AIG W/H TAX DIV PEP W/H TAX DIV EK	10 43 69								10 43 69		10 43 69
4/1/1993 4/1/1993	W/H TAX DIV KO W/H TAX DIV S	80 53				-				80 53		80 53
4/12/1993 4/20/1993 4/26/1993	WH TAX DIV WMT FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV GE	15 17 208							-	17		15 17 208
5/3/1993 5/10/1993	W/H TAX DIV T FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	154 8			-	-	-		-	154 8		154 8
5/20/1993 6/1/1993 6/1/1993	W/H TAX DIV DIS W/H TAX DIV AXP W/H TAX DIV F	13 50 86		-						13 50 86		13 50 86
6/8/1993 6/14/1993	FIDELITY CASH RESERVES SBI WHI TAX DIV FCRXX W/H TAX DIV MMM	5 52										5 52
6/18/1993 6/30/1993	W/H TAX DIV MCD W/H TAX DIV PEP	10 40				<u> </u>				10 40		10 40
7/1/1993 7/1/1993 7/1/1993	WH TAX DIV EK WH TAX DIV S WH TAX DIV KO	47 38 70			-	·			- -	38		47 38 70
7/1/1993 7/2/1993	WH TAX DIV MRK WH TAX DIV SLB	79 28								79 28		79 28
7/9/1993 7/22/1993 7/26/1993	W/H TAX DIV WMT FIDELIFY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV GE	23 16 139								23 16 139		23 16 139
8/2/1993 8/2/1993	WH TAX DIV AIT WH TAX DIV BEL	58 84										58 84
8/2/1993 8/2/1993 8/10/1993	WH TAX DIV T WH TAX DIV BMY WH TAX DIV AXP	125 91 32			<u>.</u>					125 91 32		125 91
8/16/1993 8/20/1993	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV DIS	5 10								5		32 5 10
9/1/1993 9/10/1993	WH TAX DIV F WH TAX DIV XON	66 285	_							66 285		66 285
9/10/1993 9/10/1993 9/10/1993	W/H TAX DIV AN W/H TAX DIV IBM W/H TAX DIV MOB	91 41 106								91 41 106		91 41 106
9/13/1993 9/15/1993	WH TAX DIV DD W/H TAX DIV ARC	87 89					<u> </u>			87 89		87 89
9/17/1993 9/17/1993 9/30/1993	WH TAX DIV AIG WH TAX DIV MCD WH TAX DIV PEP	9 10 35		·						10		9 10 35
10/1/1993 10/1/1993	WH TAX DIV KO WH TAX DIV EK	64 47								64 47		64 47
10/1/1993 10/1/1993 10/4/1993	W/H TAX DIV MRK W/H TAX DIV S W/H TAX DIV WMT	97 38 18			-	-	-		-	97 38 18		97 38 18
10/13/1993	W/H TAX DIV HWP W/H TAX DIV GE	16 16 159	-								-	18 16 159
11/1/1993 11/1/1993	W/H TAX DIV T W/H TAX DIV AIT	125 87			<u>.</u>					125 87		125 87
11/1/1993 11/1/1993 11/10/1903	W/H TAX DIV BMY W/H TAX DIV BEL FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	113 84 60								113 84 50		113 84 50
	W/H TAX DIV DIS W/H TAX DIV F	10 63			<u>.</u>		-		-	10		10 63
12/7/1993	W/H TAX DIV INTC W/H TAX DIV INJ W/H TAX DIV GM	6 57 25					-			6 57 25		6 57 25
12/10/1993	WH TAX DIV AN WH TAX DIV IBM	69 39										69 39
12/10/1993 12/10/1993	WH TAX DIV XON WH TAX DIV MOB	249 107								107		249 107
12/14/1993	WH TAX DIV MMM FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX WH TAX DIV DD	55 2 97								55 2 97	*	55 2 97
12/15/1993 12/15/1993	WH TAX DIV ARC WH TAX DIV KO	45 6 7								45 67		45 6 7
12/17/1993	W/H TAX DIV AKI W/H TAX DIV AKI W/H TAX DIV EK	11 10 50								11 10 50		11 10 50
1/3/1994 1/3/1994	WH TAX DIV MRK W/H TAX DIV S	102 39	•							102 39		102 39
1/3/1994 1/5/1994	WH TAX DIV PEP W/H TAX DIV WMT	37 19								19		37 19
	FIDELITY CASH RESERVES SBI WH TAX DIV FCRXX WH TAX DIV BEL WH TAX DIV DIS	4 84 9	·	-	-	-	-			84	-	4 84 9
3/1/1994 3/1/1994	W/H TAX DIV INTC W/H TAX DIV F	6 53	-	-		-	-		-	6 53		6 5 3
3/8/1994 3/8/1994 3/10/1994	W/H TAX DIV JNJ FIDELITY CASH RESERVES SBI W/H TAX DIV FORXX W/H TAX DIV GM	46 31 38							-	46 31 38		46 31 38
3/10/1994	WH TAX DIV MOB WH TAX DIV AN	90 73			·							90 73

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Column 1		Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
Date		Transaction Description	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	Fraudulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	<u>Fraudulent</u> <u>Transfers - Total</u>
	WITAX DIV XON WITAX DIV IBM WITAX DIV MMM		2.42 36 52								242 36 52		242 36 52
3/14/1994 3/14/1994 3/15/1994	W/H TAX DIV DD WH TAX DIV BAC W/H TAX DIV ARC		78 37 54								78		78 37 54
3/18/1994 3/18/1994	WH TAX DIV AIG WH TAX DIV MCD		9 11				-			-	9 11		9 11
3/31/1994 4/4/1994 4/4/1994	WH TAX DIV PEP WH TAX DIV S WH TAX DIV KO		35 42 69	-							35 42 69		35 42 69
4/4/1994 4/13/1994	WH TAX DIV MRK WH TAX DIV HWP		94 17								94 17		94 17
4/20/1994 4/25/1994 4/29/1994	WH TAX DIV GE W/H TAX DIV DOW	RVES SBI W/H TAX DIV FCRXX	31 162 53								31 162 53		31 162 53
5/2/1994 5/2/1994	W/H TAX DIV AIT W/H TAX DIV BMY		73 110								73 110		73 110
5/2/1994 5/2/1994 5/10/1994	WH TAX DIV T WH TAX DIV BEL WH TAX DIV AXP		132 91 38								132 91 38		132 91 38
5/19/1994 5/20/1994	FIDELITY CASH RESE WH TAX DIV DIS	RVES SBI W/H TAX DIV FCRXX	18 11								18 11 69		18 11
6/1/1994 6/3/1994 6/7/1994	W/H TAX DIV F W/H TAX DIV BA W/H TAX DIV JNJ		69 2 58										69 2 58
6/10/1994 6/10/1994 6/10/1994	WH TAX DIV XON WH TAX DIV GM WH TAX DIV MOB		276 44 102								276 44 102		276 44 102
6/10/1994 6/10/1994	WH TAX DIV AN WH TAX DIV BM		83 42								83 42		83 42
6/13/1994 6/13/1994 6/14/1994	WH TAX DIV DD WH TAX DIV MMM WH TAX DIV BAC		90 55 42								90 55 42		90 55 42
6/14/1994 6/15/1994	FIDELITY CASH RESE W/H TAX DIV ARC	RVES SBI W/H TAX DIV FCRXX	1 2 61								1 2 61		12 61
6/17/1994 6/17/1994 6/17/1994	WH TAX DIV MCD WH TAX DIV CCI WH TAX DIV AIG		14 1 10								14 1 10		14 1 10
6/30/1994 7/1/1994	W/H TAX DIV PEP W/H TAX DIV MRK		45 109							-			45 109
7/1/1994 7/1/1994 7/1/1994	WH TAX DIV S WH TAX DIV MCIC WH TAX DIV EK		47 8 4								47 8 4		47 8 4
7/1/1994 7/8/1994	WH TAX DIV KO W/H TAX DIV WMT		75 34								34		75 34
7/11/1994 7/13/1994 7/15/1994	WH TAX DIV HWP WH TAX DIV C	RVES SBI W/H TAX DIV FCRXX	26 23 2					<u> </u>			26 23 2		26 23 2
7/25/1994 7/29/1994	W/H TAX DIV GE W/H TAX DIV DOW		186 58								186 58		186 58
8/1/1994 8/1/1994 8/1/1994	WH TAX DIV BEL WH TAX DIV T WH TAX DIV AIT		99 1 44 79								99 144 79		99 144 79
8/1/1994 8/15/1994	WH TAX DIV BMY FIDELITY CASH RESE	RVES SBI W/H TAX DIV FCRXX	120 19				-	-	-	-	120 19		120 19
8/17/1994 8/19/1994 9/1/1994	W/H TAX DIV CCI W/H TAX DIV DIS W/H TAX DIV F		2 12 71								2 12 71		2 12 71
9/1/1994 9/1/1994 9/2/1994	W/H TAX DIV INTC W/H TAX DIV INTC W/H TAX DIV BA		0 0 3					-			0 0 3		0 0 3
9/6/1994 9/12/1994	WH TAX DIV BA WH TAX DIV JNJ WH TAX DIV MMM		5 61 57								5 61 57		61 57
9/12/1994 9/12/1994 9/12/1994	W/H TAX DIV XON W/H TAX DIV GM	RVES SBI W/H TAX DIV FCRXX	287 45 13			<u> </u>	<u> </u>		<u> </u>		287 45 13		287 45 13
9/12/1994 9/12/1994	W/H TAX DIV AN WH TAX DIV MOB	KVES SDI WIR IAA DIV FURAA	86 106	<u>.</u>		<u>.</u>				-	86 106		86 106
9/12/1994 9/12/1994 9/15/1994	WH TAX DIV IBM WH TAX DIV DD WH TAX DIV BAC		44 100 44								44 100 44		44 100 44
9/15/1994 9/16/1994	W/H TAX DIV ARC W/H TAX DIV MCD		64 0						-		64 0		64 0
9/30/1994	WH TAX DIV AIG WH TAX DIV PEP WH TAX DIV EK		11 46		1						11 46	4	11 46 5
10/3/1994 10/3/1994	W/H TAX DIV KO W/H TAX DIV MRK		78 122								78 122		78 122
10/11/1994	W/H TAX DIV WMT FIDELITY CASH RESE W/H TAX DIV HWP	RVES SBI W/H TAX DIV FCRXX	35 4 24	3			:			-	35 4 24	:	35 4 24
10/14/1994 10/25/1994	WH TAX DIV C WH TAX DIV GE		3 200							<u> </u>	3 200		3 200
11/1/1994	WH TAX DIV DOW WH TAX DIV BEL WH TAX DIV BMY		62 106 128		· ·			-			106		62 106 128
11/1/1994 11/1/1994	W/H TAX DIV S W/H TAX DIV T		49 155		-	_		_			49 155		49 155
11/15/1994	W/H TAX DIV AIT FIDELITY CASH RESE W/H TAX DIV CCI	RVES SBI WIH TAX DIV FCRXX	85 17 17								85 17 17		85 17 17
	WH TAX DIV INTC		7										2

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
D-4-		ransaction	Amount per	90-Day Preferential	2-Year Fraudulent	2-Year Fraudulent Transfers -	2-Year Fraudulent	6-Year Fraudulent	6-Year Fraudulent Transfers -	6-Year Fraudulent	Full History Fraudulent	<u>Full History</u> <u>Fraudulent Transfers -</u>	Full History Fraudulent
<u>Date</u> 12/1/1994	W/H TAX DIV F	<u>Description</u>	Customer Statement 74	<u>Transfers</u>	Transfers - Principal	Fictitious Profits	<u>Transfers - Total</u>	Transfers - Principal	Fictitious Profits	Transfers - Total	<u>Transfers - Principal</u> 74	Fictitious Profits	<u>Transfers - Total</u> 74
12/6/1994 12/9/1994	WH TAX DIV INJ WH TAX DIV MCIC		54 5				<u>.</u>				54 5		54 5
12/12/1994	WH TAX DIV MOB WH TAX DIV IBM		102 41								102 41		102 41
12/12/1994	WH TAX DIV GM WH TAX DIV AN WH TAX DIV MMM		44 78 53	1	-	-	<u>.</u>				44 78 53		44 78 53
12/12/1994	WH TAX DIV XON WH TAX DIV BAC		264 42							<u> </u>	264		264 42
12/14/1994	W/H TAX DIV DD WH TAX DIV ARC		109 62								109 62		109 62
12/15/1994 12/15/1994	W/H TAX DIV KO FIDELITY CASH RESERV	ES SBI W/H TAX DIV FCRXX	73 35		-					-			73 35
12/16/1994	W/H TAX DIV AIG W/H TAX DIV MCD		10 12										10 12
1/3/1995 1/3/1995 1/3/1995	W/H TAX DIV PEP W/H TAX DIV EK W/H TAX DIV MRK		41 39 110								41 39 110		41 39 110
1/3/1995 1/5/1995	WH TAX DIV MRK WH TAX DIV S W/H TAX DIV WMT		39 27								39 27		39 27
1/13/1995	FIDELITY CASH RESERV	ES SBI W/H TAX DIV FCRXX ES SBI W/H TAX DIV FCTXX	8 14								8 14		8 14
	WH TAX DIV CCI WH TAX DIV INTC		33 7							<u> </u>	3 3 7		35 7
3/3/1995	WH TAX DIV F WH TAX DIV BA		75 23	1	·		•				23		75 23
3/6/1995 3/7/1995 3/10/1995	WH TAX DIV SO WH TAX DIV JNJ WH TAX DIV MOB		57 54 93					·		<u> </u>	57 54 93		57 54 93
3/10/1995	W/H TAX DIV AN W/H TAX DIV XON		93 89 26 9								89 26 9		93 89 26 9
3/10/1995	WH TAX DIV IBM WH TAX DIV GM		41 44			-	_	_		_	41		41 44
	W/H TAX DIV MMM W/H TAX DIV BAC		59 47		_	-	-		-	-	59		59 47
3/14/1995 3/15/1995	WH TAX DIV DD WH TAX DIV ARC		92 64			<u>-</u>			_	_	92 64		92 64
3/15/1995 3/17/1993	W/H TAX DIV MCD	ES SBI W/H TAX DIV FCRXX	16 12	-							16 12		16 12
3/31/1995 4/3/1995 4/3/1995	WH TAX DIV PEP WH TAX DIV EK WH TAX DIV AIG		44 37 10						-	-	44 37 10		44 37 10
4/3/1995 4/3/1995	WH TAX DIV ARG WH TAX DIV S WH TAX DIV MRK		10 37 112								37 112		37 112
4/3/1995	WH TAX DIV KO WH TAX DIV HWP		86 21									<u> </u>	86 21
4/17/1993 4/17/1995	WH TAX DIV WMT WH TAX DIV C		33 37		·				10	<u> </u>	33 37		33 37
4/24/1995 4/25/1995	FIDELITY CASH RESERV W/H TAX DIV GE	ES SBI W/H TAX DIV FCRXX	34 201								201		34 201
4/28/1995 5/1/1995 5/1/1995	WH TAX DIV DOW WH TAX DIV BEL		51 87				<u>.</u>			<u> </u>	51 87		51 87
5/1/1995 5/1/1995	WH TAX DIV BMY WH TAX DIV AIT WH TAX DIV T		104 78 160				-			-	78		104 78 160
5/17/1995 5/19/1995	W/H TAX DIV CCI W/H TAX DIV DIS		31 14			-					31 14		31 14
5/23/1995 6/1/1995	FIDELITY CASH RESERV WH TAX DIV INTC	ES SBI W/H TAX DIV FORXX	45 7								45 7		45 2
6/1/1995 6/2/1995	W/H TAX DIV F W/H TAX DIV BA		86 22							-	86 22		86 22
6/6/1995 6/6/1995	WH TAX DIV JNJ WH TAX DIV SO		57 5 3								57 53		57 53
6/12/1995	W/H TAX DIV MMM W/H TAX DIV MOB W/H TAX DIV GM		52 96 60					-			52 96 60		52 96 60
6/12/1995	WH TAX DIV IBM WH TAX DIV AN		40 79				:	:			40 79		40 79
6/12/1995 6/12/1995	WH TAX DIV XON WH TAX DIV DD		248 75								248 75		248 75
6/15/1995	W/H TAX DIV BAC W/H TAX DIV ARC		44 57								44 57		94 57
6/16/1995	WH TAX DIV AIG WH TAX DIV MCD	re mi wii tay	10 13		<u>.</u>			<u> </u>			10 13	i i	10 13
6/23/1995	FIDELITY CASH RESERV W/H TAX DIV MCIC W/H TAX DIV PEP	E5 5BI W/H TAX DIV FORXX	38 5 43								38 5 43		38 5 43
7/3/1995	W/H TAX DIV EK W/H TAX DIV KO		43 36 76		-						36		45 36 76
7/3/1995 7/3/1995	W/H TAX DIV MRK W/H TAX DIV SLB		104 23					•			104	•	104 23
7/10/1995 7/14/1995	W/H TAX DIV WMT W/H TAX DIV C		31 48				-				31 48		31 48
7/19/1995 7/25/1995	FIDELITY CASH RESERV WH TAX DIV GE	ES SBI	44 1 90								44 1 90		44 1 9 0
8/1/1995	W/H TAX DIV DOW W/H TAX DIV BMY		52 102					-		-			52 102
8/1/1995	W/H TAX DIV T W/H TAX DIV AIT W/H TAX DIV BEL		139 72 82								139 72 82		139 72 82
8/10/1995	WH TAX DIV AXP	ES SBI W/H TAX DIV FCRXX	30 41										30 41
0.10.1770	LILL COURTEDERY	III IIII DIV PORMA	41	•	•	·	·	•	•	-	41	•	41

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Column 1	C	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>		ansaction_ escription	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Total</u>
8/17/1995	WILTAX DIV CCI		31								31		31
9/1/1995	W/H TAX DIV DIS W/H TAX DIV INTO		12 9								12 9		12 g
9/1/1995	W/H TAX DIV BA W/H TAX DIV F		22 86 57								22 86		22 86
9/6/1995	W/H TAX DIV JNJ W/H TAX DIV SO W/H TAX DIV GM		53 60		-					-	57 53 60		57 53 60
9/11/1995	W/H TAX DIV IBM	S SBI W/H TAX DIV FCRXX	40 3								40 3		40
9/11/1995	W/H TAX DIV XON W/H TAX DIV MOB	3 3DI WIII TAA DIV PCKAA	248 96								248 96		248
9/11/1995	WH TAX DIV AN WH TAX DIV MMM		79 54										96 79 54
9/12/1995	WH TAX DIV DD WH TAX DIV ARC		7.5 59								75 59		7.5 59
9/15/1995	W/H TAX DIV BAC W/H TAX DIV ARC		47 4		<u> </u>						47		47 4
9/15/1993	W/H TAX DIV MCD W/H TAX DIV AIG		13 11										113 11
	WH TAX DIV PEP W/H TAX DIV SLB		45 23								45 23		45 23
	W/H TAX DIV MRK W/H TAX DIV KO		122 79								122 79		122 79
10/2/1995	W/H TAX DIV EK W/H TAX DIV WMT		38 33								38 33		38 33
10/16/1995 1 10/25/1995	FIDELITY CASH RESERVE W/H TAX DIV GE	S SBI WIH TAX DIV FCRXX	27 183		<u> </u>					<u> </u>	27 183		27 183
11/1/1995	WH TAX DIV DOW W/H/TAX DIV T		52 137				<u> </u>	<u>.</u>		-	52 137	<u>.</u>	52 137
11/1/1995	W/H TAX DIV BMY W/H TAX DIV NYN		98 63						2		98 63		98 63
11/1/1995	W/H TAX DIV AIT W/H TAX DIV BEL		72 79	<u> </u>			<u>.</u>				79		72 79
11/17/1995	WH TAX DIV AXP WH/TAX DIV CCI		28 30		<u> </u>		<u>.</u>	<u> </u>		<u> </u>	28 30		2 8 30
11/20/1995		S SBI W/H TAX DIV FCRXX	12 30								12 30		12 30
12/1/1995	W/H TAX DIV INTC W/H TAX DIV F		8 97 22					<u> </u>		<u> </u>	97 22		97 22
12/5/1995	WH TAX DIV BA WH TAX DIV JNJ WH TAX DIV MCIC		54 4				:			<u> </u>	54		54 4
12/11/1995	WH TAX DIV MCIC WH TAX DIV BM WH TAX DIV AN		4 36 76							-	36 76		
12/11/1995	W/H TAX DIV XON W/H TAX DIV GM		241 57					<u> </u>			241 57		241 57
12/11/1995	W/H TAX DIV MOB W/H TAX DIV MMM		93 50	_	-			-		-	93 50		93 50
12/14/1995	W/H TAX DIV BAC W/H TAX DIV DD		43 7 5								43 87		43 75
	W/H TAX DIV MCD WH TAX DIV KO		12 73								12 73		12 73
12/22/1995	CHECK WIRE	S SBI W/H TAX DIV FCRXX	29 500,000								29 500,000	·	29 500,000
1/2/1996	W/H TAX DIV AIG W/H TAX DIV PEP		10 42		_					_	10 42	_	10 42
1/2/1996	W/H TAX DIV EK W/H TAX DIV MRK		35 111	-	-					-		-	35 111
1/12/1996	W/H TAX DIV WMT W/H TAX DIV C		30 57								30 57		30 57
2/20/1996	FIDELITY CASH RESERVE	S SBI W/H TAX DIV FCRXX S SBI W/H TAX DIV FCRXX	0 31								0 31		0 31
3/1/1996	W/H TAX DIV CCI W/H TAX DIV F W/H TAX DIV BA		28 54 13							-	28 54 13		28 54 13
3/1/1996	W/H TAX DIV COL W/H TAX DIV INTC										2		2 2
3/11/1996	WH TAX DIV XON W/H TAX DIV IBM		1 32				:				132 21		1 32 21
	W/H TAX DIV MOB W/H TAX DIV AN		53 44								53 44		53 44
3/11/1996	W/H TAX DIV GM W/H TAX DIV JNJ		42 31								42 31		42 31
3/12/1996 3/14/1996	WH TAX DIV BAC W/H TAX DIV DD		29 41		<u> </u>		1				29 41	19	29 41
3/15/1996	WH TAX DIV MCD W/H TAX DIV ARC		7 30		<u> </u>						7 30		7 30
3/22/1996	W/H TAX DIV AIG	S SBI W/H TAX DIV FCRXX	7 6		<u> </u>			<u> </u>			7 6	•	7. 6
4/1/1996	WH TAX DIV PEP WH TAX DIV S		22 12	<u>.</u>					<u>.</u>		12		22 12
4/1/1996	WH TAX DIV KO WH TAX DIV EK		44 19				·				19	·	44 19
4/2/1996	WH TAX DIV MRK WH TAX DIV C		59 30								59 30		59 30
4/10/1996	WH TAX DIV WMT WH TAX DIV HWP	c ont want have newser-	17 14	1			·	·		<u> </u>	14	3	17 14
4/25/1996	PIDELITY CASH RESERVE W/H TAX DIV GE W/H TAX DIV DOW	S SBI W/II TAX DIV FCRXX	19 108 27		<u>.</u>			:			108		19 108 27
5/1/1996	WH TAX DIV DOW WH TAX DIV AIT WH TAX DIV T		40 74					·			40	·	40 74
ACT CLASSO	TOTAL ACTO LICEY A								X		· · · · · · · · · · · · · · · · · · ·	X	

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
	<u>Transaction</u>	Amount per	90-Day Preferential	2-Year Fraudulent	2-Year Fraudulent Transfers -	2-Year Fraudulent	6-Year Fraudulent	6-Year Fraudulent Transfers -	6-Year Fraudulent	<u>Full History</u> <u>Fraudulent</u>	<u>Full History</u> <u>Fraudulent Transfers -</u>	<u>Full History</u> <u>Fraudulent</u>
Date	<u>Description</u>	Customer Statement	<u>Transfers</u>	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total
5/1/1996 5/1/1996 5/1/1996	WH TAX DIV BEL WH TAX DIV BMY WH TAX DIV NYN	44 51 34	- -							44 51 34		44 51 34
5/2/1996 5/10/1996	WH TAX DIV PNU WH TAX DIV AXP	18 15								18 15		18 15
5/14/1996 5/17/1996	FIDELITY CASH RESERVES SHI WH TAX DIV FCRXX W/H TAX DIV DIS	21 8				i.				21 8		21 8
5/17/1996 6/3/1996	WH TAX DIV CCI WH TAX DIV INTC	29 5								29 5		29 5
6/3/1996 6/3/1996	WH TAX DIV F WH TAX DIV COL	52 2								52 2		52 2
6/7/1996 6/10/1996	WH TAX DIV BA WH TAX DIV AN	13 44								13 44		13 44
6/10/1996 6/10/1996 6/11/1996	WH TAX DIV MOB WH TAX DIV IBM WH TAX DIV INJ	54 28			E E					54 28 36		54 28
6/12/1996 6/12/1996	WH TAX DIV BAC WH TAX DIV MMM	27 25	-							27 25		27 25
6/14/1996 6/21/1996	WH TAX DIV MCD WH TAX DIV AIG	7 5								7 S		7 S
6/25/1996 6/28/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV PEP	20 25		•				i		20 25		20 25
7/1/1996 7/1/1996	WH TAX DIV MRK WH TAX DIV WMT	58 16								58 16		58 16
7/1/1996 7/5/1996	W/H TAX DIV KO W/H TAX DIV SLB	44 12	_		-	-		-	-	44 12	<u>.</u>	44 12
7/10/1996 7/15/1996	W/H TAX DIV HWP W/H TAX DIV C	17 335	-						-	17 35	-	17 38
7/22/1996 7/25/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX WH TAX DIV CE	19 1 04								19 1 04		19 1 04
7/30/1996 8/1/1996 8/1/1996	W/H TAX DIV DOW W/H TAX DIV EK W/H TAX DIV NYN	24 19 34							-	24 19 34		24 1 9 34
8/1/1996 8/1/1996	WH TAX DIV AIT WH TAX DIV BMY	38 51								38 51		38 51
8/1/1996 8/1/1996	WH TAX DIV T WH TAX DIV T WH TAX DIV PNU	72 18								72 18		72 18
8/1/1996 8/9/1996	WH TAX DIV BEL WH TAX DIV AXP	41 15								41 15		41 15
8/16/1996 8/19/1996	W/H TAX DIV DIS FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	10 26								10 26		10 26
8/19/1996 9/3/1996	WH TAX DIV CCI WH TAX DIV COL	32 2								32 2		32
9/3/1996 9/3/1996	WH TAX DIV INTC WH TAX DIV F	6 66								6 66		6 66
9/6/1996 9/10/1996	WH TAX DIV BA WH TAX DIV AN	14 48		·						14 48		14 48
9/10/1996 9/10/1996 9/10/1996	WH TAX DIV GM WH TAX DIV MOB WH TAX DIV XON	47 59 145								47 59 145		47 59 145
9/10/1996 9/10/1996	WH TAX DIV JUJ WH TAX DIV JBM	39 30	<u> </u>							39 30		39 30
9/12/1996 9/12/1996	WH TAX DIV DD WH TAX DIV BAC	49 30	_	·	-	_	_			49 30		49 30
9/12/1996 9/13/1996	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV ARC	18 2	-		-	-			-	18 2		18 2
9/13/1996 9/20/1996	WH TAX DIV MCD WH TAX DIV AIG	8 7								8 7		8 7 27
9/27/1996 10/1/1996	WH TAX DIV PEP WH TAX DIV MRK	27 74							-	27 74		74
10/1/1996 10/1/1998	WH TAX DIV KO WH TAX DIV EK	48 20 0				-			-	48 20		48 20
10/7/1996 10/1 5/1996 11/1/1996	W/H TAX DIV WMT FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV T	18 5 79		-						18 5 79		18 5 79
11/19/1996	WH TAX DIV CXI FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	31 20							-	79 31 20		31 20
12/2/1996 12/2/1996	WH TAX DIV FOR WH TAX DIV FOR A WH TAX DIV FOR A WH TAX DIV INTO	67 6								67 67		67 6
12/6/1996 12/10/1996	WH TAX DIV BA W/H TAX DIV GM	14 45								14 45		14 45
12/10/1996	WH TAX DIV INI WH TAX DIV XON	36 142								36 142		36 142
12/10/1996	WH TAX DIV AN WH TAX DIV MOB	47 58					<u> </u>			47 58		47 58
12/12/1996	WH TAX DIV IBM WH TAX DIV MMM	26 30	<u> </u>							26 30		26 30
12/12/1996	WH TAX DIV BAC WH TAX DIV MTC	29 14								14		29 14
12/16/1996	W/H TAX DIV MCD W/H TAX DIV KO	8 44 47			i i i i i i i i i i i i i i i i i i i					44		8 44 47
12/18/1996	WH TAX DIV DD FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV AIG	47 15 7								47 15 7		47 15 7
1/2/1997 1/2/1997	WH TAX DIV ARC WH TAX DIV EK	71 20		<u>-</u>		·				71	-	71 20
1/2/1997	WH TAX DIV PEP FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	26 4								26	·	26 4
	WH TAX DIV C WH TAX DIV WMT	45 17						·	-	45		45 17
1/30/1997	CHECK WIRE FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	100,000		·		•	·			100,000		100,000 11
3/3/1997	W/H TAX DIV F	60	-			·			-	60		60

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
			90-Day		2-Year Fraudulent			6-Year Fraudulent		Full History	Full History	Full History
<u>Date</u>	<u>Transaction</u> <u>Description</u>	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	<u>Frandulent</u> <u>Transfers - Principal</u>	Fraudulent Transfers - Fictitious Profits	<u>Fraudulent</u> <u>Transfers - Total</u>
	TDELFTY SPARTAN U.S. TREASURY MONEY MARKET					<u> </u>		<u> </u>	1	30		30
3/12/1997 W	WH TAX DIV BAC WH TAX DIV MMM	26 25								26 25		26 25
3/31/1997 C	WHITAX DIV PEP	160,000								160,000 19		1 50,000 19
4/1/1997 W	WH TAX DIV KO WH TAX DIV SLB	37 37								37 11		37 11
4/9/1997 W	WH TAX DIV WMT WH TAX DIV WMT	11 16 31								16		16
4/16/1997 W	WH TAX DIV C WH TAX DIV HWP IDELITY SPARTAN U S TREASURY MONEY MARKET	31 13		_		-	_		-	31 13		31 13
5/1/1997 W	MH TAX DIV T WH TAX DIV BEL	57 34	-	-		-	-		-	57 34		57 34
5/1/1997 W	WH TAX DIV BEL WH TAX DIV BMY WH TAX DIV AIT	34 41 34							-	34 41 34		34 41 34
5/9/1997 W	WH TAX DIV AXP	34 12 29							-	1.2		12
3/16/1997 W	IDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV DIS WH TAX DIV CCI	29 10 23		-	-	-	-		-	29 10 23		29 10
6/2/1997 W	WH TAX DIV COL	23 1 47	-	-	·	-	-		-			23 1 47
6/2/1997 W	WH TAX DIV F WH TAX DIV INTO	4				-	-			47 4		4
6/10/1997 W	WH TAX DIV AN	32 21								32 21		32 21
6/11/1997 FI	WH TAX DIV MOB IDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV HWP	38 2 13	-	-			-		-	38 2 13	-	38 2 13
7/14/1997 W	WH TAX DIV HWP WH TAX DIV WMT IDELITY SPARTAN U S TREASURY MONEY MARKET	13 15			-	-				1.3		13
7/25/1997 W	IDELITY SPARTAN US TREASURY MONEY MARKET WHITAX DIV GE WHITAX DIV AIT	80 28					-			80 28		80
8/1/1997 W	WH TAX DIV BEL WH TAX DIV T	30 50						٠		30 50		28 30
8/1/1997 W	WH TAX DIV EMY IDELITY SPARTAN U S TREASURY MONEY MARKET	36 1							-	36 36		50 36
8/7/1997 C	THECK WIRE WHITAX DIV AXP	701,264 10								14,311	686,953	701,264
8/22/1997 W	WH TAX DIV DIS IDELITY SPARTAN U S TREASURY MONEY MARKET	8 0									10 8: 0	. 8
	IDELITY SPARTAN U S TREASURY MONEY MARKET HECK	382	-						-	\$ 800,000	382 \$ 687,354	\$ 382 \$ 1,487,354
		Total:	-	• -	• -	-		s -	-	a 800,000	a 087,354	3 1,487,354

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Total</u>
1/13/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FORXX	20	Transiers .	Transicis - Frincipai	ricinious Fronts	<u> 11 an act 3 - 10 aa</u>	Transicis - Frincipai		Transicis - Total	20	ricinous Fronts	20
2/13/1995 2/17/1995	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV CCI W/H TAX DIV INTC	3 103					<u> </u>			3 103		3 103
3/1/1995 3/1/1995 3/3/1995	W/H TAX DIV F W/H TAX DIV BA	21 219 58								21 219 68		21 219 6 8
3/6/1995 3/7/1995	W/H TAX DIV SO W/H TAX DIV INJ	167 159		-			<u>.</u>	-	<u>-</u>	167 159		167 159
3/10/1995 3/10/1995	WH TAX DIV IBM WH TAX DIV GM	120 128		-			-		-	120 128		120 128
3/10/1995 3/10/1995 3/10/1995	W/H TAX DIV XON W/H TAX DIV AN W/H TAX DIV MOB	787 260 271								787 260 271		787 260 271
3/13/1995 3/14/1995	WH TAX DIV MMM WH TAX DIV DD	171 268			·							171 268
3/14/1995 3/15/1995	WH TAX DIV BAC FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	136 4		-				-	-	4		136 4
3/15/1995 3/17/1995 3/31/1995	WH TAX DIV ARC WH TAX DIV MCD WH TAX DIV PEP	188 36 127		-						188 36 127		188 36 127
4/3/1995 4/3/1995	WH TAX DIV AIG WH TAX DIV FK	29 1 09		<u>-</u>			·		<u> </u>	29 109		29 109
4/3/1995 4/3/1995	W/H TAX DIV MRK W/H TAX DIV S	328 109								328 109		328 109
4/3/1995 4/12/1995	W/H TAX DIV KO W/H TAX DIV HWP	251 62		-			-					251 62
4/17/1995 4/17/1995 4/24/1995	W/H TAX DIV WMT W/H TAX DIV C FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	96 109 26	1	-						96 109 26		96 109 26
4/25/1995 4/28/1995	WH TAX DIV CE WH TAX DIV DOW	589 148								589 148		589 148
5/1/1995 5/1/1995	WH TAX DIV BMY WH TAX DIV AIT	304 228				<u> </u>			<u> </u>	304 228		304 228
5/1/1995 5/1/1995 5/17/1995	W'H TAX DIV BEL W'H TAX DIV T W'H TAX DIV CCI	255 466 92								466		255 466 92
5/19/1995 5/23/1995	WH TAX DIV DIS PIDELITY CASH RESERVES SBI WH TAX DIV PCRXX	41 17		<u>-</u>		-	<u>.</u>	<u>-</u>		41 17	<u>.</u>	41 17
6/1/1995 6/1/1995	W/H TAX DIV F W/H TAX DIV INTC	253 2 0		<u>.</u>			<u>.</u>	-				253 20
6/2/1995 6/6/1995 6/6/1995	W/H TAX DIV BA W/H TAX DIV JNJ W/H TAX DIV SO	66 168 156		-						66 168 156		66 168 156
6/12/1995 6/12/1995	WH TAX DIV MOB WH TAX DIV MOB	223 283								223 283		223 283
6/12/1995 6/12/1995	WH TAX DIV MMM WH TAX DIV IBM	15 3 117				<u> </u>				117		15 3 117
6/12/1995 6/12/1995 6/12/1995	WH TAX DIV AN WH TAX DIV XON WHITAY DIV CM	233 734 177		-						734		734
6/14/1995 6/15/1995	WH TAX DIV GM WH TAX DIV BAC WH TAX DIV ARC	131 168								131 168		177 131 168
6/16/1995 6/16/1995	W/H TAX DIV MCD WH TAX DIV AIG	37 28		-					-	37 28		37 28
6/19/1995 6/23/1995		25 14		-	-	-	-	-	-			25 14
6/30/1995 7/3/1995 7/3/1995	W/H TAX DIV PEP W/H TAX DIV EK W/H TAX DIV KO	126 106 224								126 106 224		126 106 224
2/3/1995 7/3/1995	WH TAX DIV MRK WH TAX DIV SLB	306 69										306 69
7/10/1995 7/14/1995	WH TAX DIV WMT WH TAX DIV C	93 143								93 143		93 143
7/19/1995 7/25/1995 7/28/1995	FIDELITY CASH RESERVES SBI WH TAX DIV FCRXX WH TAX DIV GE WH TAX DIV DOW	40 560 153								40 560 153		40 560 153
8/1/1995 8/1/1995	WH TAX DIV AIT WH TAX DIV T	214 411								214		214 411
8/1/1995 8/1/1995	WH TAX DIV BEL WH TAX DIV BMY	243 302		<u> </u>						243 302		243 302
8/10/1995 8/16/1995	W/H TAX DIV AXP FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV CCI	87 49								87 49		87 49
8/17/1995 8/18/1995 9/1/1995	WH TAX DIV DIS WH TAX DIV BA	92 37 66								92 37 66		92 37 66
9/1/1995 9/1/1995	WH TAX DIV F WH TAX DIV INTC	253 26								253 26		253 26
9/6/1995	W/H TAX DIV INJ W/H TAX DIV SO	168 156		-	·					156		168 156
9/11/1995	WH TAX DIV AN WH TAX DIV XON WH TAX DIV MOB	233 734 283			•		•	: :		734		233 734 283
9/11/1995 9/11/1995	W/H TAX DIV GM FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	177 9		-		-		-		177 g	-	177 9
9/11/1995 9/12/1995	W/H TAX DIV IBM WH TAX DIV MMM	117 15 6		-						117 156		117 15 6
9/15/1993	W/H TAX DIV DD W/H TAX DIV ARC W/H TAX DIV BAC	223 12 133										223 12
9/15/1995	W/H TAX DIV BAC W/H TAX DIV ARC W/H TAX DIV MCD	133 171 38										133 171 38
9/22/1995	W'H TAX DIV AIG W'H TAX DIV PEP	32 128										32 128

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Column 1	Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
<u>Date</u>	Transaction Description	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	<u>Frandulent</u> <u>Transfers - Principal</u>	<u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Frandulent</u> <u>Transfers - Total</u>
	TAX DIV KO TAX DIV EK TAX DIV MRK	228 108 352					:	· •		228 108 352		228 108 352
10/3/1995 W/H 7	FAX DIX SLB FAX DIV WMT LIFY CASH RESERVES SBI W/H TAX DIV FCRX	69 94 IX 45								69 94 45		69 94 45
10/25/1995 W/H 1 10/30/1995 W/H 2		533 151 184						-		533 151 184		533 151 184
11/1/1995 W/H/ 11/1/199 5 W/H/	TAX DIV BMY TAX DIV BEL TAX DIV ATI	284 231 210								284 231 210		284 231 210
11/1/1 995 W/H * 11/10/1995 W/H*	TAX DIV T TAX DIV AXP	399 82 88								399 82		399 82
11/17/1995 W/H 7 11/20/1995 FIDEJ	LITY CASH RESERVES SBI W/H TAX DIV FCRX	35 X 50	<u> </u>							88 35 50	<u>.</u>	88 35 50
12/1/1995 W/H [*] . 12/1/1995 W/H [*] .	FAX DIV F FAX DIV BA FAX DIV INTC	282 64 24	19							282 64 24		282 64 24
	FAX DIV INJ FAX DIV MCIC FAX DIV IBM	157 13 105			<u>.</u>		:	•		157 13 105		157 13 105
12/11/1995 W/H 3 12/11/1995 W/H 3 12/11/1995 W/H 3	TAX DIV MOB	165 271 220								165 271 220		165 271 220
12/11/1995 W/H 1 12/12/1995 W/H 1	FAX DIV XON	700 146 219		-				-		700 146 219	-	700 146 219
	FAX DIV BAC FAX DIV KO	126 213 35								126		126 213 35
12/22/1995 FIDEI 12/22/1995 W/H	LITY CASH RESERVES SBI W/H TAX DIV FCRY FAX DIV AIG	XX 44 30			,		<u> </u>			44 30		44 30
1/2/1996 W/H 7	IAX DIV PEP IAX DIV EK IAX DIV MRK	121 102 324	<u>.</u>	·				<u> </u>		121 102 324		121 102 324
1/12/1996 W/H 1/23/1996 FIDEI	FAX DIV WMT FAX DIV C LIFY CASH RESERVES SBI W/H TAX DIV FCR)									87 165 9		87 165 9
2/20/1996 FIDEI	TAX DIV CCI LITY CASH RESERVES SBI W/H TAX DIV FCR) TAX DIV INTC	140 KX 3 24								140 3 24		140 3 24
3/1/1996 W/H 7 3/1/1996 W/H 7	TAX DIV COL TAX DIV P TAX DIV BA	9 275 64								9		9 275 64
3/11/1996 W/H 3/11/1996 W/H 3	FAX DIV GM FAX DIV MOB FAX DIV IBM	212 271 105		-						212 271 105		212 271 105
3/11/1996 W/H 7 3/11/1996 W/H 7	TAX DIV AN TAX DIV XON TAX DIV BAC	226 673 148					·	*		226		226 673 148
3/12/1996 W/H 3/14/1996 W/H 3	FAX DIV INJ FAX DIV DD	157 209			,		<u>.</u>			157 209		157 209
3/15/1996 W/H 7 3/21/1996 FIDEI	FAX DIV MCD FAX DIV ARC LITY CASH RESERVES SBI WH TAX DIV FCRY	32 151 XX 34	<u>.</u>					<u> </u>		32 151 34		32 151 34
3/29/1996 W/H 1	FAX DIV AIG FAX DIV PEP FAX DIV S	27 104 60				-		-		27 104 60		27 104 60
4/1/1996 W/H 7	TAX DIV MRK FAX DIV KO FAX DIV EK	284 213 90								284 213 90		284 213 90
4/2/1996 W/H 7 4/8/1996 W/H 7	TAX DIV C TAX DIV WMT TAX DIV HWP	146 81 70								146		146 81 70
4/17/1996 FIDEJ 4/25/1996 W/H 7	LITY CASH RESERVES SBI W/H TAX DIV FCR) TAX DIV GE TAX DIV DOW	XX 48 520 133		•				8		48 520		48 520
5/1/1996 W/H 7 5/1/1996 W/H 7	FAX DIV BEL FAX DIV T	216 362								216 362		133 216 362
5/1/1996 W/H 7 5/1/1996 W/H 7	FAX DIV AIT FAX DIV NYN FAX DIV BMY	197 167 252								197 167 252		197 167 252
5/10/1996 W/H 7 5/14/1996 FIDEJ	TAX DIV PNU TAX DIV AXP LITY CASH RESERVES SBI W/H TAX DIV FCR)	91 76 XX 8	-							91 76 8		91 76 8
5/17/1996 W/H 7 5/17/1996 W/H 7	TAX DIV CCI TAX DIV DIS TAX DIV COL	148 39 9								148 39 9		148 39 9
6/3/1996 W/H 7	IAX DIV F IAX DIV INTC IAX DIV BA	263 23 6 4								263 23		263 23 64
6/10/1996 W/H 7 6/10/1996 W/H 7	TAX DIV AN TAX DIV IBM	226 141								226 141		226 141
6/11/1996 W/H 7 6/12/1996 W/H 7	FAX DIV BAC	275 175 134			3					134		275 175 134
6/14/1996 W/H 7 6/21/1996 W/H 7	FAX DIV MMM FAX DIV MCD FAX DIV AIG	125 35 26								35 26		125 35 26
6/25/1996 FIDEI	LITY CASH RESERVES SBI W/H TAX DIV FCR) TAX DIV PEP	XX 40 122								40		40 122

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>		Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Fraudulent</u> Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Total</u>
7/1/1996 7/1/1996	W/H TAX DIV MRK W/H TAX DIV WMT		283 81		<u>.</u>						283 81	<u>.</u>	283 81
7/1/1996 7/5/1996	W/H TAX DIV KO W/H TAX DIV SLB		217 60					-			217 60		217 60
7/10/1996 7/15/1996	WH TAX DIV HWP		85 1 73								85 1 73		85 1 73
7/22/1996 7/25/1996 7/30/1996	WH TAX DIV GE WH TAX DIV DOW	ERVES SBI W/H TAX DIV FCRX	XX 37 513 119					-		-	37 513 119		37 513 119
8/1/1996 8/1/1996	WH TAX DIV BEL WH TAX DIV NYN		204 167								204 167		204 167
8/1/1996 8/1/1996	WH TAX DIV PNU WH TAX DIV T		91 356								91 356		91 356
8/1/1996 8/1/1996	WH TAX DIV EK W/H TAX DIV AIT		92 188	13		E .			, in the second		92 188	1	92 188
8/1/1996 8/9/1996	WH TAX DIV BMY WH TAX DIV AXP		2.52 72								72		252 72
8/16/1996 8/19/1996	WH TAX DIV DIS FIDELITY CASH RESE WH TAX DIV CCI	ERVES SBI W/H TAX DIV FCRX						<u> </u>	<u> </u>		49 28	<u> </u>	49 28
8/19/1996 9/3/1996 9/3/1996	WH TAX DIV CCI WH TAX DIV COL		159 31 10							<u> </u>	159 31 10		159 31 10
9/3/1996 9/6/1996	W/H TAX DIV F W/H TAX DIV BA		332 71								332 71		332 71
9/10/1996 9/10/1996	W/H TAX DIV JNJ W/H TAX DIV IBM		193 150					-		_	193		193 150
9/10/1996 9/10/1996	W/H TAX DIV XON W/H TAX DIV AN		727 242		·						727 242		727 242
9/10/1996 9/10/1996	W/H TAX DIV GM W/H TAX DIV MOB		233 294								233 294		233 194
9/12/1996 9/12/1996	W/H TAX DIV DD W/H TAX DIV BAC		245 148								245 148		245 148
9/12/1996 9/13/1996 9/13/1996	WH TAX DIV MCD WH TAX DIV ARC	ERVES SBI W/H TAX DIV FCRX	XX 20 38			-					20 38 15		20 38 15
9/20/1996 9/27/1996	WH TAX DIV ARC WH TAX DIV AIG WH TAX DIV PEP		13 34 135										34 135
10/1/1996 10/1/1996	WH TAX DIV EK WH TAX DIV MRK		102 368							<u> </u>	102 368		102 368
10/1/1996 10/7/1996	W/H TAX DIV KO W/H TAX DIV WMT		239 89	4			9				239 89	·	239 89
10/15/1996 11/1/1996	FIDELITY CASH RESE W/H TAX DIV T	ERVES SBI W/II TAX DIV FCRN	XX 10 394			E .					10 394		10 394
	FIDELITY CASH RESE W/H TAX DIV CCI	ERVES SBI W/H TAX DIV FCRX	XX 24 151								24 151		24 151
	WH TAX DIV INTC		32 327	1	·	<u>.</u>					327		32 327
12/6/1996 12/10/1996	WH TAX DIV BA WH TAX DIV BM WH TAX DIV GM		71 130 223								71 130 223		71 130 223
12/10/1996	W/H TAX DIV AN W/H TAX DIV MOB		230 283								230 283		230 283
12/10/1996	W/H TAX DIV JNJ W/H TAX DIV XON		181 711							-	181 7 11		181 7 11
12/12/1996	W/H TAX DIV MTC W/H TAX DIV MMM		67 150		·						67 150		67 130
12/13/1996	W/H TAX DIV BAC W/H TAX DIV MCD		146 39			-		_			146 39		146 39
12/16/1996	W/H TAX DIV DD W/H TAX DIV KO	EDVECODI WHI TAV DRI ECDA	236 221 XX 25								236 221 25		236 221
12/20/1996	WITTAX DIV AIG CHECK WIRE	ERVES SBI W/H TAX DIV FCRX	500,000								34 500,000		25 34 500,000
1/2/1997	WH TAX DIV EK		101 130								101 130		101 130
1/2/1997 1/10/1997	W/H TAX DIV MRK FIDELITY SPARTAN	U S TREASURY MONEY MARK	353 KET 3				1				353 3		353
1/17/1997 2/18/1997	WH TAX DIV WMT FIDELITY SPARTAN	U S TREASURY MONEY MARK	87							<u> </u>	87 19		87 19
2/20/1997 3/3/1997	WH TAX DIV CCI WH TAX DIV INTC		15 0 24								150 24		150 24
3/3/1997 3/3/1997	WH TAX DIV F		271 8	<u> </u>				<u> </u>	<u>.</u>	<u> </u>	271 8	<u> </u>	271 8
	WH TAX DIV BA WH TAX DIV GM WH TAX DIV XON		59 218 581								59 218 581		59 218
3/10/1997	WH TAX DIV AN WH TAX DIV BM		210 105								210		581 210 105
	W/H TAX DIV MOB		254 148		·					_	254 148		254 148
3/11/1997 3/12/1997	FIDELITY SPARTAN WH TAX DIV MMM	U S TREASURY MONEY MARK	KET 1 127					-		-	1		1 127
3/12/1997 3/14/1997	WH TAX DIV BAC WH TAX DIV DD		128 188						-		128 188		128 188
3/31/1997 4/1/1 997	W/H TAX DIV PEP WH TAX DIV KO		91 1 75					-		_	91 1 75	-	91 175
4/9/1997	W/H TAX DIV SLB		56 78		-			-		-			56 78
4/16/1997	W/H TAX DIV C W/H TAX DIV HWP	U S TREASURY MONEY MARK	150 62 KET 48								150 62 48		150 62 48
5/1/1997	WH TAX DIV BEL WH TAX DIV BMY		162 196										48 162 196
2/1/1397	IZZ DIV DWI		190	•		·	·	•	•	•	190	-	190

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
Date	Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent <u>Transfers -</u> Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Fraudulent</u> Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> Fictitious Profits	<u>Full History</u> <u>Frandulent</u> Transfers - Total
Date	Description	Castaira Statement	11 ansiers	Transicis - Trincipai	Ficultous Fronts	Hansus - Total	Hansters - Frincipal	ricutous Fronts	maisicis - Total	Transiers - Frincipal	ricitious ri onts	Transicis - Total
5/1/1997 W/H TAX D		272								272		
5/1/1997 W/H TAX D		160	·	······································		······································	······	······································	·	160	······	160
5/9/1997 W/H TAX D.		55										95
	PARTAN U S TREASURY MONEY MARKET	11	······	.		.		·····	······	11		11
5/16/1997 W/H TAX D		46								46		dei
5/19/1997 W/H TAX D		147	······	·		·		-		147		147
6/2/1997 W/H TAX D				-					-			
6/2/1997 W/H TAX D		308		308		308
6/2/1997 W/H TAX D		8								8		8
6/10/1997 W/H TAX D		248				······				248		248
6/10/1997 W/H TAX D			<u>`</u>							137		197
6/10/1997 W/H TAX D		207								207		207
	PARTAN US TREASURY MONEY MARKET							×		6	×.	a
7/9/1997 W/H TAX D		81				.				81		81
7/14/1997 WH TAX D		87					-			87		87
	PARTAN U S TREASURY MONEY MARKET	21				.				Z1		21
7/25/1997 W/H TAX D 8/1/1997 W/H TAX D				······································		······································				479		
8/1/1997 W/H TAX D: 8/1/1997 W/H TAX D		213				······	.			213		213
8/1/1997 W/H TAX D		1/1	3	-		-			1	171 299	· · · · · · · · · · · · · · · · · · ·	171 299
8/1/1997 W/H TAX D		299 181									- 0i	
	PARTAN U S TREASURY MONEY MARKET								······································	101		i ni
		0									U ea	90
8/8/1997 W/H TAX D: 8/22/1997 W/H TAX D:		20				·	·				30	50
		30 Ž		.							50 5	30
ALTOLINAL PIDELLIA SI	PARTAN U S TREASURY MUNEY MARKET	Total:	c		¢ .	¢ .	0	c	c c	\$ 548.339	£ 111	\$ 548,450
		10tal:	· -	3 -	3 -	· -		· -	3 -	a 548,339	ş 111	3 548,450

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Column 1		lumn 2	Column 3	Column 4 <u>90-Day</u> Preferential	Column 5 <u>2-Year Fraudulent</u>	Column 6 <u>2-Year Fraudulent</u> <u>Transfers -</u>	Column 7 <u>2-Year Fraudulent</u>	Column 8 6-Year Fraudulent	Column 9 <u>6-Year Fraudulent</u> <u>Transfers -</u>	Coluum 10 <u>6-Year Fraudulent</u>	Coluum 11 <u>Full History</u> <u>Frandulent</u>	Column 12 <u>Full History</u> <u>Fraudulent Transfers -</u>	Column 13 <u>Full History</u> <u>Frandulent</u>
<u>Date</u>	Desc	<u>cription</u>	Customer Statement	Transfers	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total
1/20/1998 2/19/1998	FIDELITY SPARTAN U S TR W/H TAX DIV CCI	EASURY MONEY MARKET	2 124								2 124		2 124
2/24/1998 2/25/1998	FIDELITY SPARTAN U S TR WH TAX DIV MER	EASURY MONEY MARKET	28 32	<u>.</u>	·						28 32		28 32
3/2/1998 3/2/1998	W/H TAX DIV F		238 23					·			238 23		238 23
3/6/1998	W/H TAX DIV BA		83								83		83
3/10/1998 3/10/1998	WH TAX DIV BM WH TAX DIV MOB		92 215								92 215		92 215
3/10/1998 3/10/1998	W/H TAX DIV JNJ W/H TAX DIV GM		174 215								174 215		174 215
3/10/1998	WH TAX DIV AN		223 476	<u> </u>							223 476		223 476
3/11/1998	WH TAX DIV BAC		130			i i				-	139		139
3/12/1998 3/13/1998	W/H TAX DIV MMM W/H TAX DIV ARC		127 11 5	-	-			-		-	127 115		127 115
3/16/1998 3/17/1998	W/H TAX DIV DD FIDELITY SPARTAN U S TR	EASURY MONEY MARKET	208 16	<u>.</u>	-			-		-	208 16		208 16
4/3/1998 4/6/1998	W/H TAX DIV SLB W/H TAX DIV WMT		56 95							-	56 95		56 95
4/15/1998	W/H TAX DIV HWP	T 400000 \$100000 \$1400000	80	·	·	·			·		80	· · · · · · · · · · · · · · · · · · ·	80
4/22/1998 5/1/1998	FIDELITY SPARTAN U.S.TR WH TAX DIV BMY	ACTION AT MONEY MARKET	22 211		·						211		22 211
5/1/1998 5/1/1998	WH TAX DIV AIT WH TAX DIV T		189 297								1 89 297		189 297
5/1/1998 5/8/1998	W/H TAX DIV BEL W/H TAX DIV AXP		323 61								323 61		323 61
	FIDELITY SPARTAN USTR	EASURY MONEY MARKET	27 57										27 57
6/5/1998	WH TAX DIV BA		75								75		75
6/9/1998 6/10/1998	W/H TAX DIV JNJ W/H TAX DIV GM		178 19 3								178 1 93		178 193
6/10/1998 6/11/1998	W/H TAX DIV XON W/H TAX DIV BAC		536 123								536 123		536 123
6/11/1998 6/12/1998	FIDELITY SPARTAN U S TR WH TAX DIV MMM	EASURY MONEY MARKET	25 114		-						25 114		25 114
6/12/1998 6/12/1998	W/H TAX DIV MCD W/H TAX DIV DD		32 218					·			32 218		32 218
6/19/1998	W/H TAX DIV AIG		29	<u> </u>	·						29		29
6/26/1998 6/30/1998	WH TAX DIV NB WH TAX DIV PEP		192 104								192 104		192 104
6/30/1998 7/1/1998	W/H TAX DIV NT W/H TAX DIV KO		17 200								17 200		17 200
7/1/1998 7/1/1998	W/H TAX DIV MRK AMOCO CORP W/H TAX DI	v	294 189								294 189		294 189
7/10/1998	WH TAX DIV SLB		50								50		50
7/13/1998 7/15/1998	W/H TAX DIV WMT W/H TAX DIV HWP		92 90	-	-					-	92 90		92 90
7/15/1998 7/22/1998	W/H TAX DIV C FIDELITY SPARTAN U S TR	EASURY MONEY MARKET	143 15							-	143 15		143 15
7/27/1998 8/3/1998	WH TAX DIV GE WH TAX DIV BMY		526 208								526 208		526 208
8/3/1998	W/H TAX DIV BEL WH TAX DIV T		320 284	·	·		·	·	-		320 284	_	320 284
8/3/1998	W/H TAX DIV AIT		178	<u> </u>	<u> </u>	· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·		178	-	178
8/5/1 998 8/10/1998	FIDELITY SPARTAN USTR W/H TAX DIV AXP		4 60	<u>-</u>	·						4 60		4 60
	W/H TAX DIV MCD	EASURY MONEY MARKET	1 34								1 34		1 34
10/15/1998	FIDELITY SPARTAN USTR	EASURY MONEY MARKET	4 7								4 7		11 7
12/11/1998	WH TAX DIV MCD W/H TAX DIV KO		34 201		•			i			34 201		34 201
12/18/1998	WH TAX DIV AIG		31	_	-	-				-	31		31
	FIDELITY SPARTAN U S TR W/H TAX DIV BAC	EASURY MONEY MARKET	9 421	<u>-</u>		·	-	-		-	9 421		9 421
1/4/1999 1/4/1999	W/H TAX DIV PEP W/H TAX DIV MRK		101 337								101 337		101 337
1/4/1999 1/11/1999	WH TAX DIV ONE WH TAX DIV WMT		237 92		·						237	92	237 92
1/11/1999	FIDELITY SPARTAN USTR	EASURY MONEY MARKET	1									1	1
2/24/1999 3/4/1999	FIDELITY SPARTAN USTR FIDELITY SPARTAN USTR	EASURY MONEY MARKET	2 0									2 0	2 0
4/14/1999 5/5/1999	FIDELITY SPARTAN U.S.TR FIDELITY SPARTAN U.S.TR		1 0	<u> </u>		-					-	1 0	1 0
6/16/1999 7/21/1999	FIDELITY SPARTAN USTR	EASURY MONEY MARKET									<u> </u>	1	j. 1
8/24/1999	FIDELITY SPARTAN USTR	EASURY MONEY MARKET	2									<u>i</u>	2
9/30/1999 10/8/1999	FIDELITY SPARTAN U S TR FIDELITY SPARTAN U S TR	EASURY MONEY MARKET EASURY MONEY MARKET	2 1									2 1	2 iii
			Total:	<u> </u>	S -	S -	S -	S -	5 -	S -	\$ 9,860	\$ 103	\$ 9,963

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Column 1		Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
		<u>Transaction</u>	Amount per	90-Day Preferential	2-Year Fraudulent	2-Year Fraudulent Transfers -	2-Year Fraudulent	6-Year Fraudulent	<u>6-Year Fraudulent</u> <u>Transfers -</u>	6-Year Fraudulent	<u>Full History</u> <u>Fraudulent</u>	<u>Full History</u> <u>Fraudulent Transfers -</u>	<u>Full History</u> <u>Frandulent</u>
<u>Date</u>		<u>Description</u>	Customer Statement	<u>Transfers</u>	Transfers - Principal	Fictitious Profits	<u>Transfers - Total</u>	Transfers - Principal	Fictitious Profits	<u>Transfers - Total</u>	Transfers - Principal	Fictitious Profits	Transfers - Total
8/24/1999	W/H TAX DIV TXN FIDELITY SPARTAN U	S TREASURY MONEY MARKET	9 41								9 41		9 41
9/1/1999	WH TAX DIV C WH TAX DIV LU		122 16 87								122 16 87		122 16 87
9/1/1999	W/H TAX DIV WFC W/H TAX DIV F W/H TAX DIV INTC		147 27							-	147 27		147 27
9/3/1999	W/H TAX DIV BA W/H TAX DIV JNJ		335 201										35 201
9/10/1999	W/H TAX DIV XON W/H TAX DIV GM		262 84	<u>.</u>		<u>.</u>					262 84		262 84
9/10/1999	W/H TAX DIV IBM W/H TAX DIV MOB		56 115										56 115
9/13/1999	WH TAX DIV MMM WH TAX DIV DD		115 106								115 106		11 5 106
9/15/1999 9/17/1999	WH TAX DIV MCD WH TAX DIV AIG		89 106								89 106		89 106
9/24/1999 9/30/1999	W/H TAX DIV BAC W/H TAX DIV PEP		1,061 269								1,061 269		1,061 269
10/1/1999	W/H TAX DIV ONE	S TREASURY MONEY MARKET	25 656								656		2.5 656
10/1/1999	WH TAX DIV KO WH TAX DIV MRK		5 38 946								946		538 946
10/13/1999	W/H TAX DIV WMT W/H TAX DIV HWP		302 222								302 222		302 222
10/25/1999	W/H TAX DIV GE	S TREASURY MONEY MARKET	5 1,560	2							5 1,560	0	5 1,560
11/1/1999	W/H TAX DIV T W/H TAX DIV BEL		942 808					·			808		942 808
11/1/1999	WH TAX DIV BMY WH TAX DIV AIT		582 468								582 468		582 468
11/17/1999		S TREASURY MONEY MARKET	137 5	<u> </u>	<u>.</u>		<u> </u>				5	<u> </u>	137 5
12/7/1999	WH TAX DIV BA WH TAX DIV JNJ		49 141								141	N	49 141
12/10/1999	WH TAX DIV MOB WH TAX DIV IBM WH TAX DIV CM		172 85 1 26			<u> </u>					172 85 126		172 85 1 26
12/10/1999	W/H TAX DIV XON W/H TAX DIV MMM		410 293								410		410 293
12/14/1999	WH TAX DIV DD WH TAX DIV DIS		132 159								132		132 159
12/31/1999	FIDELITY SPARTAN U	S TREASURY MONEY MARKET S TREASURY MONEY MARKET	31								31		31 1
2/1/2000	W/H TAX DIV BEL		287 43							_	287 43	_	287 43
2/15/2000	W/H TAX DIV PG	S TREASURY MONEY MARKET	538 7		_	<u>.</u>		-		_	538		538 7
2/25/2000	W/H TAX DIV C W/H TAX DIV F		682 772								682 772		682 772
3/1/2000	W/H TAX DIV WFC W/H TAX DIV LU		451 76										451 76
3/3/2000	WH TAX DIV INTC		127 165							-			127 168
3/10/2000	WH TAX DIV JNJ WH TAX DIV IBM		494 26 6							-	494 26 6	-	494 25 6
3/10/2000	W/H TAX DIV XOM W/H TAX DIV GM		1,919 404		_						1,919 404		1,919 404
3/14/2000	WH TAX DIV DD WH TAX DIV HD	S TREASURY MONEY MARKET	11 4 64 47	-					3		11 4 64 47		11 4 64 47
3/31/2000	WII TAX DIV PEP W/H TAX DIV KO		2.07 6.59										207 659
4/10/2000	WH TAX DIV WMT		426 703								426 703		426 703
4/28/2000	W/H TAX DIV MWD	S TREASURY MONEY MARKET	91 34				<u>.</u>				91 34		91 34
5/12/2000		S TREASURY MONEY MARKET	17 67								17 67		17 67
6/1/2000	WH TAX DIV WFC WH TAX DIV XOM		247 3,303								247 3,303		247 3,303
6/12/2000	W/H TAX DIV GM W/H TAX DIV DD		220 781										220 781
	W/H TAX DIV IBM W/H TAX DIV JNJ		159 627						И		159 627	i i	159 627
7/10/2000	FIDELITY SPARTAN U W/H TAX DIV WMT		2 158	_						-	2 158		2 158
8/3/2000	W/H TAX DIV AIG	S TREASURY MONEY MARKET	12		· · · · · · · · · · · · · · · · · · ·		······				12		4 12
8/15/2000	W/H TAX DIV PG	STREASURY MONEY MARKET	322 544			•	<u>.</u>		-	<u> </u>	544		22 544
8/24/2000	WH TAX DIV TXN WH TAX DIV MER		66 236								236		236
9/1/2000	WH TAX DIV C WH TAX DIV WFC WH TAX DIV INTC		1,205 694 263		-	-			-	-	694		1,205 694 26 3
9/1/2000	WH TAX DIV INTO		135 1,669								135		135 1,669
9/11/2000	W/H TAX DIV IBM	S TREASURY MONEY MARKET	460 14				·	·			460		460 14
10/2/2000	W/H TAX DIV KO	S TREASURY MONEY MARKET	484	<u>.</u>	•	•		•			484	·	484 2
	W/H TAX DIV WMT		310	······						······································		310	310

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
			90-Day		2-Year Fraudulent			6-Year Fraudulent		Full History	Full History	Full History
	<u>Transaction</u>	Amount per	Preferential	2-Year Fraudulent	Transfers -	2-Year Fraudulent	6-Year Fraudulent	<u>Transfers -</u>	6-Year Fraudulent	<u>Frandulent</u>	Fraudulent Transfers -	<u>Fraudulent</u>
<u>Date</u>	Description	Customer Statement	Transfers	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total	Transfers - Principal	Fictitious Profits	Transfers - Total
10/11/2000		322									322	322
11/1/2000	W/H TAX DIV T	1,694	-		-					-	1,694	1,694
11/24/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	3									3	3
12/7/2000	FIDELITY SPARTAN U S TREASURY MONEY MARKET	2									2	2
12/21/2000	CHECK	6,573									6,573	6,573
		Totale	•	•	•	•	e	c	•	\$ 22.006	2005	\$ 40.012

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			Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
Date	Transaction Description	Amount per Customer Statement	<u>90-Day</u> <u>Preferential</u> <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	Full History Frandulent Transfers - Total
10/5/2000 10/18/2000	WH TAX DIV AV FIDELITY SPARTAN. U.S. TREASURY MONEY MARK	4 EFT 13		·						4 13	<u>.</u>	4
10/25/2000 10/27/2000	WH TAX DIV GE WH TAX DIV MWD	4,926 832								4,926 832		4,926 832
11/1/2000	WH TAX DIV BMY WH TAX DIV VZ	1,768 3,822		-						1,768		1,768 3,822
11/1/2000	W/H TAX DIV PHA	559 36 8	_		_	<u>.</u>				559 38 8		559 36 8
12/12/2000		345		•		·				345 115		345 115
1/18/2001	FIDELITY SPARTAN U S TREASURY MONEY MARK WH TAX DIV MWD									5 442		5 442
2/1/2001 2/1/2001	WH TAX DIV VZ WH TAX DIV PHA	1,851 280		-					_	1,851		1,851 280
2/12/2001 2/15/2001	WH TAX DIV TXN WH TAX DIV PO	156 1.205	-	-	_	·				156		156 1. 205
2/22/2001 2/23/2001	FIDELITY SPARTAN U S TREASURY MONEY MARK WHITAX DIV C				<u>.</u>					17 2,914		17 2,914
3/1/2001 3/1/2001	WH TAX DIV LU WH TAX DIV INTC	160 578								160		160 578
3/1/2001 3/8/2001	WH TAX DIV WFC WH TAX DIV PVE	1,671 2,998		·						1,671		1,671 2,998
3/9/2001 3/12/2001	WH TAX DIV XOM WH TAX DIV IBM	6,240 985		-						6,240 985		6,240 985
3/13/2001 3/19/2001	WH TAX DIV JNJ FIDELITY SPARTAN U S TREASURY MONEY MARK	797 ET 12	-	-		-	-			797		797 12
3/22/2001 3/30/2001	WH TAX DIV HD WH TAX DIV PEP	76 173	_	·				_		76 173		76 173
4/2/2001 4/2/2001	W/H TAX DIV MRK W/H TAX DIV KO	620 363		·	<u>.</u>	<u>.</u>		-	-	620	-	620 36 3
4/9/2001 4/11/2001	WH TAX DIV WMT WH TAX DIV HWP	990 519		-						990 519		990 51 9
4/24/2001 4/27/2001	FIDELITY SPARTAN U S TREASURY MONEY MARK WH TAX DIV MWD		<u>.</u>	<u>.</u>						62		62 810
4/30/2001 5/1/2001	WH TAX DIV JPM WH TAX DIV VZ	2,037 3,327	_	_	<u>-</u>	<u>-</u>				2,037		2,037 3,327
5/1/2001 5/1/2001	WH TAX DIV PHA WH TAX DIV BMY	496 1, 697	<u> </u>			<u>.</u>				496 1, 697		496 1, 697
5/1/2001 5/2/2001	W/H TAX DIV T W/H TAX DIV TYC	449 71		_						449		449 71
5/10/2001 5/15/2001	W/H TAX DIV AXP W/H TAX DIV PG	336 1,446								336 1,446		336 1,446
6/20/2001 7/9/2001	FIDELITY SPARTAN U S TREASURY MONEY MARK WHITAX DIV WMT					-				100 895		100 895
7/11/2001 7/11/2001	WH TAX DIV XOM WH TAX DIV HWP	104 232	<u> </u>	<u>-</u>	-					104		104 232
7/23/2001 7/25/2001	W/H TAX DIV MWD FIDELITY SPARTAN U S TREASURY MONEY MARK	1,496	<u> </u>							1,496 32		1,496 32
7/25/2001 7/31/2001	W/H TAX DIV GE W/H TAX DIV JPM	9,011 3,856	<u>-</u>	·						9,011 3,856		9,011 3,856
8/1/2001 8/1/2001	WH TAX DIV BMY WH TAX DIV TYC	2,962 133								2,962 133		2,962 133
8/1/2001 8/1/2001	WH TAX DIV VZ WH TAX DIV PHA	5,875 1,000	·							5,875		5,875 1,000
8/10/2001 8/15/2001	W/H TAX DIV AXP W/H TAX DIV PG	610 1, 279								610		610 1. 279
8/24/2001 9/13/2001	FIDELITY SPARTAN U S TREASURY MONEY MARK WH TAX DIV HD									43 654		43 654
9/28/2001 9/28/2001	WH TAX DIV PEP WH TAX DIV BAC	1,804 6,236		<u>.</u>						1,804		1,804 6,236
10/1/2001 10/1/2001	WH TAX DIV MRK WH TAX DIV KO	5,652 3,107								5,652 3,107		5,652 3,107
10/9/2001 10/10/2001	W/H TAX DIV WMT	2,196 1.100								2,196		2,196 1,100
10/15/2001	WH TAX DIV HWP FIDELITY SPARTAN U S TREASURY MONEY MARK WH TAX DIV GE									1,100 89 11,228		11.00 89 11,228
	WH TAX DIV GE WH TAX DIV MWD WH TAX DIV JPM	11,228 1,837 4,733		·	·					1,837		11,228 1,837 4,733
11/1/2001 11/1/2001	WH TAX DIV VZ WH TAX DIV T	4,733 7,289 912								7,289		4,733 7,289 912
11/1/2001 11/1/2001 11/1/2001	W/H TAX DIV BMY	3,775 1, 203								3,775 1,203		3,775 1, 209
11/1/2001	WH TAX DIV PHA WH TAX DIV TYC	1,203 172 743								1,203 172 743		172
	WH TAX DIV AXP WH TAX DIV PG	74.5 3,385 264								743 3,385		743 3,385
11/19/2001	WH TAX DIV TXN FIDELITY SPARTAN U S TREASURY MONEY MARK	ET 6								264 6 5.674		264 6 5 674
12/3/2001	WH TAX DIV C WH TAX DIV MCD WH TAX DIV WFC	5,674 1,962				<u>.</u>				1,962		5,674 1,962
12/3/2001	W/H TAX DIV INTC	3,140 962					•			962		3,140 962 3,108
12/10/2001	WH TAX DIV PPE WH TAX DIV XOM	3,208 11,233				-		-	<u> </u>	11,233		3,208 11,233
12/14/2001	WH TAX DIV IBM WH TAX DIV DD	1,715 2,480		-	-	-	-	•		2,480		1,715 2,480
1/7/2002	FIDELITY SPARTAN U S TREASURY MONEY MARK W/H TAX DIV WMT	404		·	·	·		· · · · · · · · · · · · · · · · · · ·		404		9 404
1/10/2002 1/25/2002	W/H TAX DIV MWD	1,239					·		<u>.</u>	1,239	<u>.</u>	1,239
2/1/2002	W/H TAX DIV VZ	839 5,040			·		·			5,040		839 5,040
2/1/2002 2/11/2002	WH TAX DIV SBC WH TAX DIV TXN	4,172 251	<u>.</u>			<u>-</u>				4,172 251	· · · · · · · · · · · · · · · · · · ·	4,172 251

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Full History Frandulent Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Total</u>
2/15/2002 WH TA 2/21/2002 FIDELI	AX DIV PG TY SPARTAN U S TREASURY MONEY MA	3,326 ARKET 12		•						3,326 12		3,326 12
3/1/2002 W/H Tz	AX DIV C AX DIV INTC	5.549 936								5,5 49 936		5,549 936
3/6/2002 FIDELI	AX DIV WFC TY SPARTAN U S TREASURY MONEY MA					<u>.</u>				1		3,034 1
3/11/2002 W/H TA	AX DIV PFE AX DIV XOM	5,565 10,718	<u>.</u>		-					5,565 10,718		5,565 10,718
3/11/2002 W/H TA	AX DIV BUD AX DIV IBM	1,197 1,634	<u> </u>						<u> </u>	1,197 1,634		1,197 1,634
3/14/2002 W/H TA	AX DIV JNJ AX DIV DD	2,330 2,451							<u> </u>	2,451		2,330 2,451
3/22/2002 W/H Tz	AX DIV AIG AX DIV BAC	3:19 2,960		·	<u>.</u>			·		330 2,960		339 2,960
4/1/2002 W/H TA	AX DIV HD AX DIV MRK	831 5,786 1,804	<u> </u>			-				831 5,786		831 5,786
4/1/2002 W/H TA	AX DIV PEP AX DIV KO AX DIV ONE	3,609 971								1,804 3,609 971		1,804 3,609 971
4/10/2002 W/H TA	AX DIV MO AX DIV WMT	9,022 2,413				<u> </u>				9,022		9,022 2,413
4/23/2002 FIDELI	TY SPARTAN US TREASURY MONEY MA AX DIV GE		·							1 5.635		1 5.635
4/26/2002 W/H TA	AX DIV MDT AX DIV MWD	501 1,819				<u>.</u>			-	501		501 1,819
4/30/2002 W/H TA	AX DIV IPM AX DIV TYC	4,866 182		·					_	4,866 182		4,866 182
5/1/2002 W/H TA	AX DIV SBC AX DIV PHA	6,576 1,260		·		_				6,576 1,2 5 0		6,576 1, 26 0
5/1/2002 W/H TA	AX DIV T AX DIV VZ	957 7.598								957		957 7,598
5/10/2002 FIDELI	AX DIV BMY TY SPARTAN U S TREASURY MONEY MA	3,932 ARKET 3	<u>.</u>							3,932 3		3,932 3
5/24/2002 W/H T/	AX DIV PG AX DIV C	1,875 3,699	-		·					1,875 3,699	<u>.</u>	1,875 3,699
6/3/2002 W/H T/	AX DIV WFC AX DIV INTC	3,825 5 25			_	_		-	-	3,825 5 25		3,825 5 25
6/10/2002 W/H Tz	AX DIV PFE AX DIV BUD	6,661 938		-		-			-	6,661 938	-	6,661 938
6/10/2002 W/H T/	AX DIV XOM AX DIV IBM	12,726 2,128				-			-			12,726 2,128
6/12/2002 W/H TA	AX DIV JNJ AX DIV DD	1,827 2,119								1,827 2,119		1,827 2.119
7/10/2002 W/H T/	TY SPARTAN U S TREASURY MONEY MA AX DIV MO	1,541										4 1,541
7/19/2002 FIDELI	AX DIV USB TY SPARTAN U S TREASURY MONEY MA	496 ARKET 6	-	-	-	-		-	-	496 6	-	496 6 2,371
7/26/2002 FIDELI	AX DIV GE TY SPARTAN U S TREASURY MONEY MA AX DIV MWD	2,371 ARKET 1 331				-			-	2,371 1 331		2,3/1 1 331
7/26/2002 W/H Tz	AX DIV MWD AX DIV MDT AX DIV JPM	97 903										97 903
8/1/2002 W/H T/	AX DIV BMY AX DIV VZ	713 1,364								713 1,364		713 1,364
8/1/2002 W/H TA	AX DIV PHA AX DIV SBC	224 1,166				<u>.</u>				224 1,166	<u>.</u>	224 1,166
8/1/2002 W/H T/	AX DIV T AX DIV AXP	187 133								187 133		187 133
8/19/2002 W/H TA	AX DIV TXN AX DIV MON	378								37 8		378 3
8/26/2002 FIDELI	AX DIV C TY SPARTAN U S TREASURY MONEY MA	9, 849 ARKET 6			<u> </u>					9,849 6		9,849 6
9/3/2002 W/H Tz	AX DIV WFC AX DIV INTC	4.980 1,385								4,980 1,385		4,980 1,385
9/5/2002 W/H TA	AX DIV PFE AX DIV G	8,481 1,734								1,734		8,481 1,734
9/9/2002 W/H TA	AX DIV BA AX DIV BUD	1,457 1,734	-		81				:	1,457 1,734		1,457 1,734
9/10/2002 W/H TA	AX DIV XOM AX DIV IBM	16,027 2,619					<u>.</u>	-		16,027 2,619		16,027 2,619
9/10/2002 W/H Tz	TY SPARTAN US TREASURY MONEY MA AX DIV JNJ	ARKET 6 2,070								6 2,070		6 2,070
10/17/2002 FIDELI	AX DIV DD TY SPARTAN U S TREASURY MONEY MA		<u> </u>	·		<u> </u>			<u> </u>	3,539 20	<u> </u>	3,539 20
11/15/2002 W/H TA 11/15/2002 W/H TA	AX DIV CL	2,044 589				<u>.</u>				2,044 589		2.044 589
11/18/2002 W/H T/ 11/22/2002 W/H T/ 11/25/2002 W/H T/	AX DIV C	5,214 327				-				5,214 327		209 5,214
11/25/2002 W/H TA 11/27/2002 W/H TA 1/6/2003 W/H TA	AX DIV MER	816 1,450					1,450			816 1,450	*	327 816 1,450
1/6/2003 W/H Tz	AX DIV DD AX DIV IBM AX DIV WFC	1,477 2,797					1,477		1,477	1,450 1,477 2,797		1,450 1,477 2,797
1/6/2003 W/H Tz	AX DIV WYC AX DIV UTX AX DIV INJ	2,799 475 956					475		475	2.797 475 9 5 6		2,797 475 956
1/6/2003 FIDELI	TY SPARTAN US TREASURY MONEY MA AX DIV G						34		34	34 1,003		34 1,003
1/6/2003 W/H TA	AX DIV INTC AX DIV PITE	779 3,324	<u> </u>				779		779	779 3,324		779 3,324
1/6/2003 W/H Tz	AX DIV XOM AX DIV BA	9,032 593	<u>.</u>				9,032		9,032	9,032 593		9,032 593
1/6/2003 W/H Tz	AX DIV BUD AX DIV HCA	990 65					990 6 5		990 6 5	990 65		990 65

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	<u>Transaction</u> <u>Description</u>	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Full History Frandulent Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Total</u>
1/10/2003 1/31/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET W/H TAX DIV MWD	4 1,269		-			4 1,269		4 1,269	4 1,269		4 1,269
2/3/2003 2/3/2003	WH TAX DIV PHA WH TAX DIV SBC	1,587 4,595					1,587 4,595		1,587 4,595	1,587 4,595		1,587 4,595
2/3/2003 2/10/2003	WH TAX DIV VZ WH TAX DIV TXN	5,401 334		_			5,401 334		5,401 334	5,401 334		5,401 334
2/14/2003 2/14/2003	WH TAX DIV PG WH TAX DIV CL	4,820 907			-		4,820 907		4,820 90 7	4,820 907		4,820 907
2/14/2003 2/27/2003	WH TAX DIV PFE WH TAX DIV GS	8,431 504					8,431 504		8,431 504	8,431 504		8,431 504
2/28/2003 2/28/2003	WH TAX DIV C WH TAX DIV MER	9,451 1,246					9,451 1,246		9,451 1,246	9,451 1,246		9,451 1,246
3/3/2003 3/3/2003	W/H TAX DIV WFC W/H TAX DIV INTC	4,657 1,217					4,657 1,217		4,657 1,217	4,657 1,217		4,657 1,217
3/5/2003 3/7/2003	WH 1/31/03G WH TAX DIV BA	1,567 1,285			-				1,567 1 ,2 85	1,567 1.285		1,567 1, 285
3/7/2003 3/10/2003	WH TAX DIV MSFT WH TAX DIV XOM	6,129 14,139		-	-		6,129 14,139	-	6,129 14,139	6,129 14,139		6,129 14,139
3/10/2003 3/10/2003	WH TAX DIV IBM WH TAX DIV BUD	2,302 1,474			-		2,302 1,474		2,302 1,474	2,302 1,474		2,302 1,474
3/10/2003 3/11/2003	WH TAX DIV UTX WH TAX DIV JNJ	1,029 5,545					1,029 5,545		1,029 5,545	1,029 5,545		1,029 5,545
3/12/2003 3/14/2003	WH TAX DIV MMM WH TAX DIV DD	1,729 3.233					1,729 3,233		1,729 3,233	1,729 3.233		1,729 3,233
3/17/2003 4/7/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET WITTAX DIV WMT	4,863					33 4,863		33 4,863	33 4,863		33 4,863
4/9/2003 4/15/2003	W/H TAX DIV HPQ FIDELITY SPARTAN U S TREASURY MONEY MARKET						3,067 32		3,067 32	3,067 32		3,067 32
5/9/2003 5/19/2003	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET	3					3 1 100		1 3	j 1100		1 3
5/28/2003 5/30/2003 6/2/2003	W/H TAX DIV MER FIDELITY SPARTAN U S TREASURY MONEY MARKET W/H TAX DIV WFC	1,198 2 4,491					1,198 2 4,491		1,198 2 4,491	1,198 2 4,491		1,198 2 4,491
6/2/2003 6/2/2003 6/5/2003	WH TAX DIV NTC WH TAX DIV PEE	4,491 648 10,752		-			4,491 648 10.752		4,491 648 10,752	4,491 648 10.752		4,491 648 10,752
6/9/2003 6/10/2003	WH TAX DIV BUD	1,459 2,395					10,752 1,459 2,395		10,732 1,459 2,395	10,732 1,459 2,395		1,459
6/10/2003 6/10/2003	W/H TAX DIV IBM W/H TAX DIV UTX W/H TAX DIV XOM	2,393 1,123 15,064			-	-	1,123 15,064		2,393 1,123 15,064	2,393 1,123 15,064		2,395 1,123 15,064
6/10/2003 6/12/2003	WH TAX DIV MMM WH TAX DIV MMM	5,387 2,195					6,387 2,195		6,387 2,195	6,387 2,195		6,387 2,195
6/12/2003 6/20/2003	WH TAX DIV DD WH TAX DIV AIG	3,202 1,347					3,202 1,347		3,202 1,347	3,202 1,347		3,202 1,347
6/25/2003 6/26/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV HD	5 1,539					5 1.539		5 1.539	1,549 5 1,539		5 1,539
6/27/2003 6/30/2003	WH TAX DIV BAC WH TAX DIV PEP	10,517 3,042					10,517 3,042		10,517 3,042	10,517 3,042		10,517 3,042
7/1/2003 7/1/2003	WH TAX DIV ONE WH TAX DIV ALL	2,725 1,530					2,725 1,530		2,725 1,530	2,725 1,530		2,725 1,530
7/1/2003 7/1/2003	WH TAX DIV MRK WH TAX DIV KO	8,811 6,048					8,811 6,048		8,811 6,048	8,811 6,048		8,811 6,048
7/3/2003 7/7/2003	WH TAX DIV SLB WH TAX DIV WMT	936 2,039					936 2,039		936 2,039	936 2,039		936 2,039
7/8/2003 7/9/2003	WH TAX DIV MO WH TAX DIV HPQ	14,591 2,696			i i		14,591 2,696		14,591 2,696	14,591 2,696		14,591 2,696
7/10/2003 7/21/2003	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	3 2				<u> </u>	3 2		3 2	3		3
7/31/2003 8/1/2003	WH TAX DIV MWD WH TAX DIV SBC	2,595 12,947					2,595 12,947		2,595 12,947	2,595 12,947		2,595 12,947
8/1/2003 8/15/2003	WH TAX DIV VZ WH TAX DIV CL	10,859 1,354					10,859 1,354		10,859 1,354	10,859 1,354		10,859 1,354
8/15/2003 8/18/2003	WH TAX DIV PG WH TAX DIV TXN	5,989 374					5,989 374		5,989 374	5,989 374		5,989 374
8/22/2003 8/27/2003	WH TAX DIV C WH TAX DIV MER	18.536 1,504					18 ,536 1,504		18 ,536 1,504	18.536 1,504		18,536 1,504
8/28/2003 9/2/2003	W/H TAX DIV GS W/H TAX DIV WFC	1,175 7,616					1,175 7,616		1,175 7,616	1,175 7,616		1,175 7,616
9/2/2003 9/4/2003	WH TAX DIV INTC WH TAX DIV PFE	1,340 7,473			<u> </u>		1,340 7,473		1,340 7,473	1,340 7,473		1,340 7,473
9/5/2003 9/5/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET WHI TAX DIV G	18 1,681					18 1,681		18 1,681	18 1,681		18 1,681
9/5/2003 9/9/2003	WH TAX DIV BA WH TAX DIV BUD	892 1,862				<u> </u>	8 92 1,862		892 1,862	1,862		892 1,862
9/10/2003 9/10/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET W/H TAX DIV IBM W/H TAX DIV XOM	2,858					2,858		0 2,858 17,102	2,858 17,102		2,858
9/12/2003	WH TAX DIV DD WH TAX DIV AIG	17,102 2,244 586			-		17,102 2,244		2,244	2,244		17,102 2,244
9/23/2003	FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV BAC						586 7 4.227		586 7 4,22 7	586 7 4,227		586 7 4,227
9/30/2003	WH TAX DIV PEP WII TAX DIV VIA.B	2,288 665			-		2,288		2,288 665	2,288 665		2,288 665
10/1/2003	WH TAX DIV ONE WH TAX DIV KO	2,446 4,539			-		2,446 4,539		2,446 4,539	2,446 4,539		2,446 4,539
10/1/2003	WH TAX DIV MRK WH TAX DIV HPQ	2,875 2,047		·	<u>-</u>	-	2,875		2,875 2,047	2,875 2,047		2,875 2,047
10/9/2003	W/H TAX DIV MO FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	11,772					11,772 3		11,772 3	11,772 3		11,772 3
10/31/2003	WH TAX DIV MWD WH TAX DIV VZ	1,812 7,834					1,812		1,812 7,834	1,812 7,834		1,812 7,834
11/3/2003	WH TAX DIV SBC WH TAX DIV SBC	2,429 6.861		·		·	2,429		2,429 6,861	2,429 6,861		2,429 6,861
	WH TAX DIV MSFT	18,874	-	·	-		18,874		18,874	18,874		18,874

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Column 1	Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
<u>Date</u>	Transaction Description	Amount per Customer Statement	Preferential Transfers	2-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	<u>Frandulent</u> <u>Transfers - Principal</u>	<u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Frandulent</u> <u>Transfers - Total</u>
11/17/2003 W/H TA	X DIV PG X DIV TXN	6,352 407					6,352 407		6,352 407	6,352 407		6,352 407
	A DIV GS FY SPARTAN U S TREASURY MONEY MARKE X DIV C	1,218 ET 10 19,667					1,218 10 19,667		1,218 10 19,667	1.218 10 19.667		1,218 10 19,667
11/26/2003 W/H TA 12/1/2003 W/H TA	X DIV MER X DIV INTC	1,665 1,450					1,665 1,450		1,665 1,450	1,665 1,450	<u>.</u>	1,665 1,450
12/1/2003 W/H TA	X DIV WFC X DIV MCD X DIV PFE	8,334 5,458 12,669					8,334 5,458 12,669		8,334 5,458 12,669	8,334 5,458 12,669		8,334 5,458 12,669
12/5/2003 W/H TA	X DIV G X DIV BUD	1,742 1,930					1,742 1,930		1,742 1,930	1,742 1,930		1,742 1,930
12/10/2003 W/H TA	X DIV INJ X DIV IBM	7,720 2,963					7,720 2,963		7,720 2,963	7,720 2,963		7,720 2,963
	X DIV XOM X DIV UTX X DIV MMM	18,111 1,706 1,538					18,111 1,706 1,538		18,111 1,706 1,538	18,111 1,706 1,538		18.111 1,706 1,538
12/15/2003 W/H TA 12/31/2003 FIDELE	X DIV DD YY SPARTAN' U S TREASURY MONEY MARKE	3,753 ET 8					3,753 8		3,753 8	3,753 8		3,753 8
1/2/2004 W/H TA	X DIV PEP X DIV ONE X DIV WMT	641 633 911		-			641 633 911		641 633 911	641 633 911		641 633 911
1/6/2004 W/H TA	X DIV WAIT X DIV DIS X DIV HPQ	1.019 574					1,019 574		1,019 574	1,019 574		1,019 574
1/9/2004 W/H TA	TY SPARTAN U S TREASURY MONEY MARKE X DIV MO	ET 0 3,298					0 3,298		0 3,298	0 3,298		0 3,298
1/30/2004 W/H TA	IY SPARTAN US TREASURY MONEY MARKE IX DIV MWD IX D IV S BC	ET 1 1,045 4,027					1 1,045 4,027		1 1,045 4,027	1 1,045 4,027		1 1,045 4,027
2/2/2004 W/H TA 2/17/2004 W/H TA	X DIV VZ X DIV PG	4,157 6.308					4,157 6,308		4,157 6,308	4,157 6,308		4,157 6,308
2/27/2004 W/H TA	X DIV GS X DIV C X DIV MER	1,155 21,444 1,627					1,155 21,444 1,627		1,155 21,444 1.627	1,155 21,444		1,155 21,444
3/1/2004 W/H TA	X DIV MEK X DIV WFC X DIV INTC	7,903 2,687					7,903 2,687		7,903 2,687	1,627 7,903 2,687		1,627 7,903 2,687
3/5/2004 W/H TA 3/5/2004 W/H TA	X DIV BA X DIV G	1,414 1,652		<u> </u>			1,414 1,652		1,414 1,652	1,414 1,652	1	1,414 1,652
3/9/2004 W/H TA	X DIV PPE X DIV JNJ X DIV BUD	13,405 7,390 1,830					13,405 7,390 1,830		13,405 7,390 1,830	13,405 7,390 1,830		13,405 7,390 1,830
3/10/2004 W/H TA	X DIV UTX X DIV XOM	1,019 1,171		-			1,630 1,019 17,171		1,019 17,171	1,019 1,017 17.171		1,019 1,171
3/12/2004 W/H T/	X DIV MMM	2,810 1,887					2,810 1,887		2,810 1,887	2,810 1,887		2,810 1,887
	IX DIV DD IY SPARTAN 'U S TREASURY MONEY MARKE WIRE	3,559 ET 59 38,800,000					3,559 59 38,800,000		3,559 59 38,800,000	3,559 59 38,800,000		3,559 59 38,800,000
4/7/2004 FIDELI	TY SPARTAN. U S TREASURY MONEY MARKE TY SPARTAN. U S TREASURY MONEY MARKE	et 1 Et 0			<u>.</u>	<u>.</u>	1 0		1 0	1 0	1	1 0
4/30/2004 W/H TA	X DIV MWD X DIV JPM X DIV SBC	1,731 1,330 6,556					1,731 1,330 6,556		1,731 1,330 6,556	1,731 1,330 6,556		1,731 1,330 6,556
5/3/2004 W/H TA	X DIV VZ X DIV PG	6,663 5,097		·			6,663 5,097		6,663 5,097	6,663 5,097		6,663 5,097
5/26/2004 W/H TA	X DIV TXN X DIV MER	297 1,281		-	_		297 1,281		297 1,281	297 1,281	-	297 1,281
5/28/2004 W/H TA	X DIV GS X DIV C X DIV WFC	910 16,601 6,225					910 16,601 6,225		910 16,601 6,225	910 16,601 6,225		910 1 6.60 1 6,225
6/1/2004 W/H TA 6/4/2004 W/H TA	X DIV INTC X DIV PFE	2,074 10,368					2,074 10,368		2,074 10,368	2,074 10,368		2,074 10,368
6/7/2004 FIDELIT	X DIV G IY SPARTAN U S TREASURY MONEY MARKE X DIV WMT	1,301 ET 15 3,057					1,301 15 3,057		1,301 15 3,057	1,301 15 3,057		1,301 15 3,057
6/8/2004 W/H TA 6/9/2004 W/H TA	X DIV JNJ X DIV BUD	6,799 1,442					6,799 1,442		6,799 1,442	6,799 1,442	-	6,799 1,442
6/10/2004 W/H TA 6/10/2004 W/H TA	X DIV XOM X DIV LTX	14,154 1,040			-		14,154 1,046		14,154 1,040	14,154 1,040		14,154 1,040
6/11/2004 W/H TA	X DIV IBM X DIV BA X DIV DD	2,490 891 2,803					2,490 891 2,803		2,490 891 2,803	2,490 891 2,803		2,490 891 2,803
6/14/2004 W/H TA 6/18/2004 FIDELIT	X DIV MMM IY SPARTAN U S TREASURY MONEY MARKE	1,604					1,604 0		1,604 0	1,604 0		1,604 0
6/30/2004 W/H TA	X DIV HD X DIV PEP	1,593 3,276					1,393 3,276		1,593 3,276	1,593 3,276		1,593 3,276
7/1/2004 W/H TA 7/7/2004 W/H TA 7/9/2004 W/H TA	X DIV KO X DIV HPQ X DIV MO	5,060 2,039 11,547					5,060 2,039 11,547		5,060 2,039 11,547	5,060 2,039 11,547		5,060 2,039 11,547
7/26/2004 W/H TA 8/18/2004 FIDELE	X DIV GE LY SPARTAN 'U S TREASURY MONEY MARKE	1,872 ET 49					1,872 49		1,872 49	1,872 49		1,872 49
9/7/2004 W/H TA	I'Y SPARTAN U S TREASURY MONEY MARKE IX DIV WMT IX DIV UTX	ET 0 3.643 1.226					0 3,643 1,226		0 3,643 1,226	0 3.643 1,226		0 3.643 1.226
9/1 3/2004 W/H TA 9/1 4/2004 W/H TA	X DIV MMM X DIV MSFT	1, 892 7,643					1,8 92 7,643		1,8 92 7,643	1,892 7,643		1,892 7,643
9/16/2004 W/H TA 9/17/2004 W/H TA	X DIV HD X DIV AIG	1,700 1,740			<u> </u>		1,700 1,740		1,700 1,740	1,700 1,740		1,700 1,740
	X DIV BAC X DIV PEP X DIV VIA B	16,556 3,495 938		<u> </u>			16,556 3,495 938		16,556 3,495 938	16,556 3,495 938		16,556 3,495 938
10/1/2004 W/H TA 10/1/2004 W/H TA	X DIV KO	5,399 7,598					5,399		5,399 5,798 7,598	5,399 7,5 9 8		5,399 7,5 9 8

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Fraudulent</u> <u>Transfers - Principal</u>	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Total</u>
10/6/2004 W/H TAX		2,175		<u>.</u>		<u>.</u>	2,175		2,175	2,175		2,175
	SPARTAN U S TREASURY MONEY MARKET	13,429 64					13,429 64		13,429 64	13,429 64		13,429 64
	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	0 684					0 684		0 0 684	0 684		0 0 584
12/1/2004 W/H TAX 12/1/2004 W/H TAX	DIV WFC	3,543 1,1 2 6		· · · · · · · · · · · · · · · · · · ·			3,543 1,126		3,543 1,1 26	3,543 1,1 26		3,543 1.126
12/3/2004 W/H TAX 12/3/2004 W/H TAX	DIV BA	1,138				·····	1,126 1,138 9,076	·	1,126 1,138 9,076	1,120 1,138 9,076	· .	1,138
12/7/2004 W/H TAX	DIV JNJ	9,076 2,289 12,459					2,289 12,459		2,289 12,459	2,289 12,459		9,076 2,289 12,459
12/10/2004 W/H TAX	DIV IBM	2,162 64	-			·	2,162 64		2,162	2,162 64	·	2,162 64
12/14/2004 W/H TAX	SPARTAN US TREASURY MONEY MARKET DIV DD SPARTAN US TREASURY MONEY MARKET	2,434					2,434		2,434	2,434		2,434 1
12/31/2004 FIDELITY	SPARTAN U S TREASURY MONEY MARKET DIV WMT	12 1,222	_				12 1,222		12 12 1,222	12 1,222	· · · · · · · · · · · · · · · · · · ·	12 1,222
2/14/2005 W/H TAX 2/24/2005 W/H TAX	DIV TXN	372 155		· · · · · · · · · · · · · · · · · · ·			372 155		372	372 155		372 155
2/25/2005 W/H TAX 2/28/2005 W/H TAX	DIV C	19,645 1,253		•		······································	19,645 1,253		19,645 1,253	19,645 1,253		19,645 1,253
3/1/2005 W/H TAX 3/1/2005 W/H TAX	DIV INTC	4,371 7.144					4,371 7,144		4,371 7,144	4,371 7.144		4,371 7,144
3/4/2005 W/H TAX 3/4/2005 W/H TAX	DIV BA	1,762 1,400					1,762 1,400		1,762 1,400	1,762 1,400		1,762 1,400
	SPARTAN U S TREASURY MONEY MARKET	66 12,353					66 12,353		66 12,353	66 12,353		66 12,353
3/8/2005 W/H TAX 3/9/2005 W/H TAX	DIV JNJ	7,311 1,727					7,311 1,727		7,311 1,727	7,311 1,727		7,311 1,727
3/10/2005 W/H TAX 3/10/2005 W/H TAX	DIV XOM	15,016 2,06 8					15,016 2,068		15,016	15,016 2.068		15,016 2,06 8
	DIV MSFT	7,488 2,538					7,488 2,538		7,488 2,538	7,488 2,538		7,488 2,538
	DIV MMM	2,961 3,016					2,961 3,016		2,961 3,016	2,961 3,016		2,961 3,016
3/18/2005 W/H TAX 3/24/2005 W/H TAX	DIV AIG	2,839 1,880					2,839 1,880	·	2,839 1,880	2,839 1,680		2,839 1,880
3/28/2005 W/H TAX 3/31/2003 W/H TAX	DIV BAC	15,685 3.423		······································			15,685 3,423		15,685	15,685 3,423		15,685 3,423
4/1/2005 W/H TAX 4/1/2005 W/H TAX	DIV MRK	7,144 4,619					7,144 4,619		7,144 4 619	7,144 4,619		7,144 4,619
	DIV VIA.B	1,042 1,032					1,042 1,032		1,042 1,032	1,042 1,032		1,042 1,032
4/11/2005 W/H TAX		10,258 53	-				10,258 53		10,258 53	10,258 53	_	10,258 53
4/25/2005 W/H TAX		20,032 2 4	_	<u> </u>			20,032 24		20,032 24	20,032 24		20,032 2 4
6/6/2005 W/H TAX 6/10/2005 W/H TAX	DIV WMT	1,320 628	<u>.</u>	·			1,320 628		1,320 628	1,320 628	<u>.</u>	1,320 628
	DIV MMM	899 2,191					899 2,191		899 2,191	899 2,191		899 2,191
	SPARTAN U S TREASURY MONEY MARKET	36 1,458					36 1,468		36 1, 468	36 1,458		36 1,468
6/24/2005 W/H TAX 6/30/2005 W/H TAX	DIV BAC	12,241 2,986	-				12,241 2, 986	_	12,241 2,986	12,241 2,986	-	12,241 2,986
7/1/2005 W/H TAX 7/1/2005 W/H TAX	DIV MRK	5,513 4,232	-	<u>-</u>	<u>-</u>		5,513 4,232		5,513 4,232	5,513 4,232	<u>-</u>	5,513 4,232
7/1/2005 W/H TAX		1,485 804					1,485 804		1,485	1,485 804		1,485 804
7/6/2005 W/H TAX 7/8/2005 W/H TAX	DIV HPQ	1,580 889					1,580 889		1,580 889	1,580 889		1,580 889
7/11/2005 W/H TAX 7/25/2005 W/H TAX	DIV MO	10,150 15. 6 50					10,150 15,650		10,150 15,650	10,150 15, 6 50		10,150 15,650
9/8/2005 FIDELITY	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	454 2				-	454 2		454 2	454 2		454 2
9/30/2005 W/H TAX 9/30/2005 W/H TAX	DIV PEP	2,229 372			·	<u>.</u>	2,229 372		2,229 372	2,229 372		2,229 372
10/3/2005 W/H TAX 10/5/2005 W/H TAX		6,262 2,270					6,262 2,270		6,262 2,270	6,262 2,270		6,262 2,270
10/11/2005 W/H TAX		16,146 11 5				·	16,146 115		16,146 115	16,146 11 5		16,146 11 5
	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	0 1					0 1		0 11	0 1		0 1
10/19/2005 FIDELITY 10/25/2005 W/H TAX	SPARTAN U S TREASURY MONEY MARKET DIV GE	1 16,792					1 16,792		1 16,792	1 16,792		1 16,792
10/31/2005 W/H TAX 11/15/2005 W/H TAX	DIV MWD DIV PG	1,983 10,015					1,983 10,015	-	1,983 10,015	1,983 10,015		1,983 10,015
11/15/2005 W/H TAX		3,029			·		3,029		3,029	3,029		3,029 56
11/21/2005 W/H TAX 11/21/2005 W/H TAX	DIV TXN	514 1,146		·			514 1,146	·	514	514	·	514 1,146
11/23/2005 W/H TAX 11/23/2005 W/H TAX	DIV C DIV MER	23,404 1.834					23,404 1,834	-	23,404	23,404	-	23,404 1,834
11/30/2005 FIDELITY 12/1/2005 W/H TAX	SPARTAN U S TREASURY MONEY MARKET DIV WFC	3 9,061					3 9,061		3	3 9,061		3 9,061
12/1/2005 W/H TAX 12/2/2003 W/H TAX	DIV INTC	5,015 2,063			-	<u> </u>	5,015		5,015	5,015		5,015 2,063
12/6/2005 W/H TAX 12/8/2005 W/H TAX	DIV PFE	14,579 7,606					14,579 7,606		14,579	14,579		14,579 7,606
12/9/2005 W/H TAX 12/12/2005 W/H TAX	DIV XOM DIV UTX	18,949 2,354		· · · · · · · · · · · · · · · · · · ·			18,949		18,949	18,949		18,949 2,354
12/12/2005 W/H TAX	DIV IBM	3,302	-		-	•	3,302	-	3,302	3,302	•	3,302

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
<u>Date</u>	Transaction Description	Amount per Customer Statement	90-Day Preferential Transfers	2-Year Fraudulent Transfers - Principal	2-Year Fraudulent Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	6-Year Fraudulent Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	<u>Full History</u> <u>Frandulent</u> Transfers - Principal	<u>Full History</u> <u>Fraudulent Transfers -</u> <u>Fictitious Profits</u>	<u>Full History</u> <u>Frandulent</u> <u>Transfers - Total</u>
12/12/2005 W/H TAX DI 12/12/2005 W/H TAX DI		3,4 67 10,603		<u>.</u>			3,467 10,603		3,467 10,603	3,467 10.603		3,467 10,603
12/13/2005 W/H TAX DI 12/15/2005 W/H TAX DI	v ini	10,257 5,934					10,257 5,934		10,257 5,934	10.257 5,934		10.257 5,934
12/15/2005 W/H TAX DI 12/15/2005 W/H TAX DI	V HD	2,201 2,415					2,201 2,415		2,201 2,415	2,201 2,415		2,201 2,415
12/16/2005 W/H TAX DI		3,989 2					989,E 2		3,989 2	3,989 2		3,989
	ARTAN U S TREASURY MONEY MARKET	5 20,635					5 20,635		5 20,635	5 20,635		5 20,635
12/30/2005 W/H TAX DI 12/30/2005 FIDELITY SE	V S ARTAN U S TREASURY MONEY MARKET	757 1					757 1		757 1	757 1		757 1
1/3/2006 W/H TAX DI 1/3/2006 W/H TAX DI	V PRP	4,530 2,542					4,530 2,542		4,530 2,542	4,530 2,542		4,530 2,542
1/3/2006 W/H TAX DI 1/3/2006 W/H TAX DI	V VIA.B V MRK	1,156 8,712		<u> </u>			1,156 8,712		1,156 8,712	1,156 8,712		1.156 8,712
1/4/2006 W/H TAX DI 1/6/2006 W/H TAX DI	V HPQ	2,374 5,695					2,374 5,695		2,374 5,695	2,374 5,695		2,374 5,695
	ARTAN U S TREASURY MONEY MARKET ARTAN U S TREASURY MONEY MARKET	16 16					16 16		16 16	16 16	1	16 16
1/31/2006 W/H TAX DI 2/1/2006 W/H TAX DI		2,926 2,643				<u>.</u>	2,926 2,643		2,926 2,643	2,926 2,643	<u>.</u>	2,926 2,643
2/1/2006 W/H TAX DI 2/13/2006 W/H TAX DI		3,937 478					3,037 478		3,037 478	3,037 478		3,037 478
2/15/2006 W/H TAX DI 2/15/2006 W/H TAX DI		9,355 4,222	<u> </u>			<u> </u>	9,355 4,222	<u> </u>	9,355 4,222	9,355 4,222	<u> </u>	9,355 4,222
2/23/2006 W/H TAX DI 2/24/2006 W/H TAX DI		1,129 24,511	1				1,129 24,511		1,129 24,511	1,129 24,511		1,129 24,511
	V MER ARTAN U S TREASURY MONEY MARKET	2,2 58 48					1,258 48		1,258 48	2,258 48		2,2 58 48
3/1/2006 W/H TAX DI 3/1/2006 W/H TAX DI	V INTC	8,452 5,941					8,452 5,941		8,452 5,941	8,452 5,941		8,452 5,941
3/3/2006 W/H TAX DI 3/7/2006 W/H TAX DI		2,438 4,118	<u> </u>	<u> </u>			2,438 4,118	<u>.</u>	2,438 4,118	2,438 4,118		2,438 4,118
3/7/2006 W/H TAX DI 3/9/2006 W/H TAX DI		17,509 8,189	<u> </u>	<u> </u>			17,509 8,189	<u> </u>	17,509 8,189	17,509 8,189	<u> </u>	17,509 8,189
3/10/2006 W/H TAX DI 3/10/2006 W/H TAX DI		10,011 2,185					10,011 2,185		1 0,01 1 2,185	10,011 2,185		10,011 2,185
3/10/2006 W/H TAX DI 3/10/2006 W/H TAX DI		903 3,106					903 3,106		903 3,106	903 3,106		903 3,106
3/10/2006 W/H TAX DI		3 19,601		<u>.</u>			3 19,601		3 19,601	3 19,601		3 19,601
3/13/2006 W/H TAX DI 3/14/2006 W/H TAX DI		3,323 9,834	<u> </u>				3,323 9,834		3,323 9,834	3,323 9,834		3,323 9,834
	V TWX ARTAN U S TREASURY MONEY MARKET	2,312 0					2,312 0		2,312 0	2,312 0		2,312 0
3/17/2006 W/H TAX DI 3/23/2006 W/H TAX DI	V HD	3,819 3,115					3,819 3,115		3,819 3,115	3,819 3,115	3	3,819 3,115
	ARTAN U STREASURY MONEY MARKET	23,027 13		<u>.</u>	-		23,027 13		23,027 13	23,027 13		23,027 13
3/31/2006 W/H TAX DI		1 750					1 750		1 750	1 750		1 750
3/31/2006 WH TAX DI 4/3/2006 W/H TAX DI	V MRK	4,305 8,387					4,30 .5 8,387		4,30 5 8,387	4,305 8,387		4,305 8,387
4/3/2006 W/H TAX DI 4/3/2006 W/H TAX DI	V KO	4,281 6,453					4,281 6,453		4,281 6,453	4,281 6,453		4,281 6,453
	ARTAN U S TREASURY MONEY MARKET	2,310 0					2,310 0		2,310 0	2,310 0		2,310 0
4/10/2006 W/H TAX DI		1 16,921		············		<u>.</u>	1 16,921		16,921	1 16,921		1 16,921
4/25/2006 W/H TAX DI		14 26,149		<u>.</u>		·	14 26,149	<u> </u>	14 26,149	14 26,149	<u>.</u>	14 26,149
4/28/2006 W/H TAX DI 4/28/2006 W/H TAX DI	V MS	1,159 2,939					1,159 2,939		1,159 2,939	1.159 2,939		1,159 2,939
4/28/2006 FIDELITY SE 5/1/2006 W/H TAX DI	V JРМ	3 8,787 12,000	<u> </u>				8,787		8,787	3 8,787		8,787
5/1/2006 W/H TAX DI 5/1/2006 W/H TAX DI	VT	12,000 12,971	13			<u>.</u>	12,000 12,971		12,000 12,971	12,660 12,971		12,000 12,971 7
5/10/2006 W/H TAX DI		1,524					1,524		1,524	1,524		1,524 5
5/10/2006 FIDELITY SE 5/15/2006 W/H TAX DI 5/15/2006 W/H TAX DI	V ABT	4,550 10,406					4,550 10,406		4,550 10,406	4,550 10,406		4,550 10,406
5/22/2006 W/H TAX DI	V CAT	10,406 1,737 490			<u> </u>	<u>.</u>	1,737		1,737	1,737		1,737
5/22/2006 W/H TAX DI 5/24/2006 W/H TAX DI	V MER	2,299	-				490 2,299		490 2,299	490 2,299		490 2,299
5/25/2006 W/H TAX DI 5/26/2006 W/H TAX DI 5/21/2006 W/DILLIEN SI	V GS V C ARTAN U S TREASURY MONEY MARKET	1,588 24,894					1,588 24,894		24,894	1,588 24,894		1,588 24,894
5/31/2006 PIDELITY SE 5/31/2006 W/H TAX DI 6/1/2006 W/H TAX DI	V UPS	47 4,193 5,977					4,193		4,193	47 4,193 5,977		47 4,193 5,977
6/1/2006 W/H TAX DI 6/1/2006 W/H TAX DI 6/2/2006 W/H TAX DI	V WFC	5,977 9,085 2,483					9,085	·	9,085	9,085		9,085
6/5/2006 W/H TAX DI 6/5/2006 W/H TAX DI 6/6/2006 W/H TAX DI	V WMT	2,485 4,312 5,588					2,483 4,312 5,588		2,483 4,312 5,588	2,483 4,312 5,588		2,483 4,312 5, 588
6/6/2006 W/H TAX DI 6/8/2006 W/H TAX DI	V PFE	3,588 18,096 8,193	<u>.</u>				18,096 8,193		18,096	18,096 8,193		3,388 18,096 8,193
6/9/2006 W/H TAX DI 6/12/2006 W/H TAX DI	V XOM	20,087 1,340					20,087 1,340		20,087	20,087 1,340		20,087 1,340
6/12/2006 W/H TAX DI 6/12/2006 W/H TAX DI	V MMM	3,384 4,799			- ·		3,384 4,799		3,384	3,384 4,799		3,384 4,799
6/13/2006 W/H TAX DI 6/15/2006 W/H TAX DI	V JNJ	11,379 2,299				·	11,379		11,379 2,299	11,379 2,299		11,379 2,299
		-,-23					-,422		2,277	2,42.2		-,472

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Column 1	Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 2-Year Fraudulent	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 Full History	Column 12 <u>Full History</u>	Column 13 Full History
<u>Date</u>	Transaction Description		Preferential	2-Year Fraudulent Transfers - Principal	Transfers - Fictitious Profits	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	Transfers - Fictitious Profits	6-Year Fraudulent Transfers - Total	Frandulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	Frandulent Transfers - Total
6/15/2006	FIDELITY SPARTAN U STREASU		24 -	······································	······	······································	24		24	24		24
6/23/2006	WH TAX DIV HD WH TAX DIV BAC	3,3 23,90	07 -	<u> </u>			3,310 23,907		3,310 23,907	3,310 23,907		3,310 23,907
	WH TAX DIV PEP FIDELITY SPARTAN U S TREASUR		69 -				4,969 69		4,969 69	4,969 69		4,9 6 9 69
6/30/2006 7/3/2006	WH TAX DIV S W/H TAX DIV CVX	7. 11,9:					759 11,954		7.59 11,954	759 11,954		759 11,954
7/3/2006 7/3/2006	WH TAX DIV AIG WH TAX DIV KO	4,00 4,50	00 -				4,000 4,524		4,000 4,524	4,000 4,524		4,000 4,524
7/3/2006 7/5/2006	W/H TAX DIV MRK W/H TAX DIV HPQ	8,3i 2,3:	86 -				8,386 2,334		8,386 2,334	8,386 2,334		8,386 2,334
7/10/2006	WH TAX DIV MO	11,6	74 -				11,674		11,674	11,674		11,674
7/21/2006	FIDELITY SPARTAN U S TREASUR FIDELITY SPARTAN U S TREASUR	RY MONEY MARKET	30 - 1 -				30 1		30 1	30 1		30 1
7/31/2006 7/31/2006	FIDELITY SPARTAN U S TREASUR WH TAX DIV MS	RY MONEY MARKET 1,2:	11 - 3 8 -	-		-	11 1,238	-	11 1 ,23 8	11 1. 23 8		11 1. 23 8
8/15/2006 8/15/2006	W/H TAX DIV ABT W/H TAX DIV PG	1,91 7,7:					1,917 7,759		1,917 7,759	1,917 7,759		1,917 7,759
8/17/2006 8/21/2006	FIDELITY SPARTAN U S TREASUR WH TAX DIV TXN		2 -			<u>.</u>	2 354		2 354	2 354		2 354
8/21/2006	W/H TAX DIV CAT	80	03 -	· · · · · · · · · · · · · · · · · · ·	·		803	·	803	803	·	803
8/23/2006 8/24/2006	WH TAX DIV MER W/H TAX DIV GS	1,55 1,1:	84 -			<u>.</u>	1, 69 1 1,184		1,691 1,184	1, 691 1,184		1,691 1,184
8/25/2006 9/1/2006	W/H TAX DIV C W/H TAX DIV WFC	18.4 7,19					18,419 7,198		18,419 7,198	18.419 7,198		1 8.419 7,198
9/1/2006 9/1/2006	FIDELITY SPARTAN U S TREASUT W/H TAX DIV INTC	RY MONEY MARKET 4,4				1	12 4,427	9	12 4,427	12 4,427		12 4,427
9/1/2006 9/5/2006	W/H TAX DIV BA W/H TAX DIV PFE	1,8, 13,3:	27 .				1,827 13,335		1,827 13,335	1,827 13,335		1.827
9/5/2006	W/H TAX DIV WMT	3,1	73 -				3,173		3,173	3,173		13,335 3,173
9/6/2006 9/11/2006	WH TAX DIV UPS WH TAX DIV IBM	3,0: 3,4:	50 -				3,085 3,45 0		3,085 3,450	3,085 3,450		3,085 3,450
9/11/2006 9/11/2006	W/H TAX DIV CVX W/H TAX DIV UTX	8,79 1,9°		-	·		8,795 1,972	<u>.</u>	8,795 1,972	8,795 1,972		8,795 1,972
	W/H TAX DIV XOM W/H TAX DIV JNJ	14,59 8,3	98 -	-		<u>-</u>	14,598 8,372		14,598 8,372	14,598 8,372		14,598 8,372
9/12/2006	W/H TAX DIV MMM	2,49	90 -				2,490	·	2,490	2,490		2,490
9/14/2006 9/15/2006	WH TAX DIV MSFT FIDELITY SPARTAN U S TREASUR		6 -	<u> </u>		<u>.</u>	6,001 6	<u> </u>	6,001 6	6,001 6	<u> </u>	6,001 6
9/15/2006 9/15/2006	W/H TAX DIV TWX W/H TAX DIV AIG	1,8i 3,2:					1,807 3,237		1,807 3,237	1,807 3,237	·	1,807 3,237
9/21/2006	WH TAX DIV HD WH TAX DIV BAC	2,3: 19,3:	34 -				2,334 19,321		2,334 19,321	2,334 19,321		2,334 19,321
9/27/2006	FIDELITY SPARTAN U S TREASUL W/H TAX DIV PEP	RY MONEY MARKET 3.74	21 -				21 3.741		21 3.741	21 3.741		21 3.741
9/29/2006	W/H TAX DIV S	5,	68 -			-	568		568	568		568
10/2/2006 10/2/2006	W/H TAX DIV KO W/H TAX DIV MRK	4,8. 5 ,1				-	4,823 6,170	-	4,823 6,170	4,823 6,170		4,823 6.170
	W/H TAX DIV HPQ W/H TAX DIV MO	1,6° 13,6:	78 - 34 -				1,678 13,634		1,678 13,634	1,678 13,634		1,678 13,634
	FIDELITY SPARTAN U S TREASUR WH TAX DIV GE		7 -				7 19,714		7 19,714	7 19,714		7 19,714
10/26/2006	FIDELITY SPARTAN U S TREASUR	RY MONEY MARKET	6 -	·		·	6		6	6		6
10/30/2006	FIDELITY SPARTAN U S TREASUR FIDELITY SPARTAN U S TREASUR	RY MONEY MARKET	2 -				2 2		2	2 2		2 2
	FIDELITY SPARTAN U S TREASUL FIDELITY SPARTAN U S TREASUL		1 1			<u> </u>	1 1		1	1		1 1
11/20/2006 11/22/2006	W/H TAX DIV TXN W/H TAX DIV MER	6; 2,30					628 2,309		628 2,309	628 2,309		628 2,309
11/22/2006	WH TAX DIV C FIDELITY SPARTAN U S TREASUR	23,9					23,981		23,981	23,981	1	23,981
11/30/2006	FIDELITY SPARTAN USTREASUR	RY MONEY MARKET				·	3		3	ä		3
1/2/2007 1 /2/2007	WH TAX DIV MRK WH TAX DIV WMT	8,2 4.1	73	8,276 4.173		8,276 4.1 73	8,276 4,173		8,276 4,173	8,276 4.1 73		8,276 4.173
1/2/2007	W/H TAX DIV PEP FIDELITY SPARTAN U S TREASUR	5,0- RY MONEY MARKET	48 - 1 -	2,010		5,048 1	5,048 1		5,048 I	5,048 1	-	5,048 1
1/3/2007 1/3/2007	W/H TAX DIV UTX W/H TAX DIV MCD	2,69 12,00	92 -	2,692		2,692 12,004	2,692 12,004		2,692 12,004	2,692 12,004		2,692 12,004
1/3/2007	W/H TAX DIV MSFT	8,6 RY MONEY MARKET	15 -	8,615		8,615	8,615		8,615 19	8,615		8,615
1/3/2007 1/3/2007	FIDELITY SPARTAN U S TREASUR W/H TAX DIV CVX	11,5:	24 -	11,524	······	19 11,524	19 11,524	· · · · · · · · · · · · · · · · · · ·	11,524	19 11,524		19 11,524
1/3/2007 1/3/2007	W/H TAX DIV WFC W/H TAX DIV PFE	9,3 i 17,5:	86 -	9,386 17,586		9, 386 17,586	9,38 6 17,586		9,38 6 17,586	9.386 17,586		9,386 17,586
1/3/2007	W/H TAX DIV MMM W/H TAX DIV BA	3,3° 2,4°		3,398 2,493		3,398 2,493	3,398 2,493		3,398 2,493	3,398 2,493		3,398 2,493
1/3/2007	WH TAX DIV WB	10,9	87 .	10,987		10,987	10,987		10,987	10,987	i.	10,987
1/3/2007	WH TAX DIV JNJ WH TAX DIV S	11,01 7.	48 -			11,081 748	11,081 748		11,081 748	11,081 748		11,081 748
1/3/2007	WH TAX DIV HPQ WH TAX DIV KO	2,2 6,3	75 18			2,217 6,375	2,217 6,37 5		2,217 6,37 5	2,217 6,375		2,217 6,375
	W/H TAX DIV INTC	5,7: 4,6:		5,753 4,627		5,753	5,753 4,627		5,753 4,627	5,753 4,627		5,753 4,627
1/3/2007 1/3/2007	WH TAX DIV TGT WH TAX DIV IBM	99 4.5	97 -	997		997	997 4,516		997 4,516	997 4.516		997 4.516
1/3/2007	W/H TAX DIV XOM	19,00	00 -	19,000		19,000	19,000	·	19,000	19,000		19,000
1/3/2007	W/H TAX DIV TWX W/H TAX DIV BAC	2,24 25,64	45 -	25,645		25,645	2,262 25,645		2,262 25,645	2,262 25,645		2,262 25,645
1/3/2007	WH TAX DIV EXC WH TAX DIV AIG	2, 51 4,3	19 -	4,319		4,319	2,386 4,319		2,386 4,319	2,586 4,319	·	2.586 4,319
1/4/2007	WH TAX DIV UPS WH TAX DIV MO	4,2 4,9'	íi -	4,211			4,211 4,973		4,211 4,973	4,211 4,973		4,211 4,973
1/12/2007	WH TAX DIV DIS	6,5)	62 -	6,562		6,562	6,562		6,562	6,562	i i	6,562
1/25/2007	W/H TAX DIV GE	16,89	96 -	16,896	-	16,896	16,896	-	16,896	16,896	-	16,896

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Column 1	Column 2	Column 3	Column 4 Column 5 <u>20-Day</u>	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 6-Year Fraudulent	Coluum 10	Coluum 11 Full History	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
<u>Date</u>	<u>Transaction</u> <u>Description</u>	Amount per Customer Statement	Preferential 2-Year Fraudulent Transfers Transfers - Principa	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	Frandulent Transfers - Principal	Fraudulent Transfers - Fictitious Profits	<u>Frandulent</u> <u>Transfers - Total</u>
1/31/2007	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET FIDELITY SPARTAN U.S. TREASURY MONEY MARKET FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	27 1 3	· 2	-	27 1 3	27 1 3		27 1 3	27 1	<u> </u>	27 1 3
2/13/2007 2/16/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET	0 0			0 0	0 0		0 0	0 0		0 0
2/22/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET	1 3 0			1 3 0	1 3 0		1 3 0	1 3 0		1 3 0
3/1/2007	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET W/H TAX DIV COP	8 3,659	- 3,65		3,659	8 3,659		3,659	3,659		3,659
3/9/2007	WH TAX DIV UPS FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV MMM	2,426 14 3,004	- 2,42: - 1: - 3,00		2,426 14 3,004	2,426 14 3,004		2,426 14 3,004	2,426 14 3,004	*	2,426 14 3,004
3/12/2007	WH TAX DIV CVX WH TAX DIV TGT	3,423 567	- 3,42 - 56		3,423 567	3,423 567		3,423 567	3,423 567		3,423 567
3/13/2007	W/H TAX DIV UTX W/H TAX DIV INJ W/H TAX DIV WB	834 9,095 8,763	- 83 - 9,09 - 8,76		834 9,095 8,763	834 9,095 8,763		834 9,095 8,763	834 9,095 8,763		834 9,095 8,763
3/16/2007	WH TAX DIV TWX WH TAX DIV AIG	1,807 3,486	- 1,80° - 3,48°		1,807 3,486	1,807 3,486		1,807 3,486	1,807 3,486		1,807 3,486
3/22/2007	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET WH TAX DIV HD WH TAX DIV BAC	18 3,873 20,593	- 1. - 3,87: - 20,59:		18 3,873 20,593	18 3,873 20,593		18 3,873 20,593	18 3,873 20,593		18 3,873 20,593
3/30/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET W/H TAX DIV S	21 1 712	- 2 - 71:		21 1 712	21 i 712		21 1 712	21 i 712		21 1 712
3/30/2007 4/2/2007	WH TAX DIV PEP WH TAX DIV WMT	4,853 5,387	- 4,85. - 5,38		4.853 5,387	4,853 5,387		4,853 5,387	4, 853 5,387		4,85 3 5,387
4/2/2007	WH TAX DIV KO WH TAX DIV MRK WH TAX DIV HPQ	6,963 8,317 2,208	- 6,96 - 8,31' - 2,20		6,963 8,317 2,208	6,963 8,317 2,208		6,963 8,317 2,208	6,963 8,317 2,208		6,963 8,317 2,208
4/10/2007 4/19/2007	WH TAX DIV MO FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	18,004 25	- 18,00-		18,004 25	18,004 25		18,004 25	18,004 25		18,004 25
4/25/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV GE FIDELITY SPARTAN U S TREASURY MONEY MARKET	1 23,879 16	- 23.87: 1	-	1 23.879 16	1 23,879 16		1 23,879 16	1 23,879 16		1 23.879 16
5/4/2007 5/15/2007	WH TAX DIV CVS W/H TAX DIV PG	643 11,388	- 64 - 11,38	<u> </u>	643 11,388	643 11,388		643 11,388	643 11,388		643 11,388
5/23/2007	FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV MER WH TAX DIV GS	6 3,015 882	- 3,01: - 88	· .	6 3,015 882	3,015 882		3,015 882	6 3,015 882		6 3,015 882
5/25/2007 5/31/2007	WH TAX DIV C FIDELITY SPARTAN U S TREASURY MONEY MARKET	26,873 6	- 26,87: 		26,873 6	26,873 6		26,873 6	26,873 6		26,873 6
6/1/2007 6/1/2007	WH TAX DIV COP WH TAX DIV INTC WH TAX DIV WFC	6,929 6,675 9,647	- 6,92 - 6,67 - 9,64		6,929 6,675 9,647	6,929 6,67 5 9,647		6,929 6,67 5 9,647	6,929 6,675 9,647		6,929 6,675 9,647
6/4/2007	WH TAX DIV BA WH TAX DIV WMT WH TAX DIV UPS	2,783 5,474 4,421	· 2,78 · 5,47· · 4,42	-	2,783 5,474 4,421	2,783 5,474 4,421		2,783 5,474 4,421	2,783 5,474 4,421		2,783 5,474 4,421
6/5/2007	WH TAX DIV PFE WH TAX DIV UTX	21,092 2,790	- 21,09: - 2,79i	-	21,092 2,790	21,092 2,790		21,092 2,790	21,092 2,790		21,092 2,790
6/11/2007	WH TAX DIV XOM WH TAX DIV BM WH TAX DIV CVX	20,318 6,1 25 12,766	- 20,31: - 6,12: - 12,76:		20,318 6,1 25 12,766	20,318 6,125 12,766		20,318 6,125 12,766	20,318 6,125 12,766		20,318 6,125 12,766
6/12/2007 6/12/2007	WH TAX DIV JNJ WH TAX DIV MMM	12,190 3,675	- 12,19 - 3,67:		12,190 3,675	12,190 3,675		12,190 3,675	12,190 3,675		12,190 3,675
6/15/2007	WH TAX DIV MSFT WH TAX DIV WB WH TAX DIV TWX	8,867 10,718 2,174	- 8,86 - 10,71: - 2,17:	-	8,867 10,718 2,174	8,867 10,718 2,174		8,867 10,718 2,174	8,867 10,718 2,174		8,867 10,718 2,174
6/15/2007 6/15/2007	W/H TAX DIV AIG FIDELITY SPARTAN U.S TREASURY MONEY MARKET	4,421 11	- 4,42 - i		4,421 11 4,737	4,421 11 4 737		4,421 11 4,737	4,421 11	<u>.</u>	4,421 11
6/22/2007	WH TAX DIV HD WH TAX DIV BAC WH TAX DIV S	4,737 25,724 742	- 4,73 - 25,72 - 74		4,737 25,724 742	4,737 25,724 742		4,737 25,724 742	4,737 25,724 742		4,737 25.724 742
6/29/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV PEP WH TAX DIV MRK	20 6,337	- 2 - 6,33		20 6,337 8,364	20 6,337		20 6,337	20 6,337		20 6,337 8,364
7/2/2007 7/5/2007	WH TAX DIV MAX WH TAX DIV HPQ	8,364 6,947 2,22 0	- 8,36 - 6,94 - 2,22	<u> </u>	6,947 2,220	8,364 6,947 2,22 0		8,364 6,947 1,220	8,364 6,947 2,22 0		6,947 2,220
7/17/2007	W/H TAX DIV MO FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET	14,731 23 16	- 14,73 - 2		14,731 23 16	14,731 23 16		14,731 23 16	14,731 23 16		14,731 23 16
8/24/2007 9/4/2007	WH TAX DIV C FIDELITY SPARTAN U S TREASURY MONEY MARKET	11,119 35	- 11,11: - 3.		11,119 35	11,119 35		11,119 35	11,119 35	3	11,119 35
9/4/2007	WH TAX DIV WMT CHECK WIRE CHECK WIRE	2,222 50,000,000 50,000,000	- 2.22 - 50,000,00 - 34,877,25		2,222 50,000,000 50,000,000	2,222 50,000,000 34,877,251	15,122,749	2,222 50,000,000 50,000,000	2,222 50,000,000 34,877,252	15,122,748	50,000,000 50,000,000
9/4/2007 9/4/2007	WH TAX DIV WFC WH TAX DIV INTC	4,336 2,753	4	4,336 2,753	4,336 2,753		4,336 2,753	4,336 2,753		4,336 2,753	4,336 2,753
9/7/2007	WH TAX DIV PFE WH TAX DIV BA WH TAX DIV XOM	8,563 1,088 8,294			8,563 1,088 8,294		8,563 1,088 8,294	8,563 1,088 8,294		8,563 1,088 8,294	8,563 1,088 8,294
9/10/2007 9/10/2007	WH TAX DIV UTX WH TAX DIV BM WH TAX DIV CVX	1,368 2,331 5,183		1,368	1,368 2,331 5,183		1,368 2,331	1,368 2,331 5,183		2,331	1,368 2,331 5,183
9/13/2007 9/14/2007	W/H TAX DIV MSFT FIDELITY SPARTAN U S TREASURY MONEY MARKET	3,535 3		3,535 3,535	3,535 3		3,535 3,535 3	3,535 3,535		3,535	3,535 3
9/18/2007 9/26/2007	FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV KO	3 11 1,439		3 - 11 1,439	3 11 1,439		3 11 1,439	3 11 1,439		3 11 1,439	3 11 1,439
10/4/2007 10/4/2007	CHECK WIRE FIDELITY SPARTAN U S TREASURY MONEY MARKET	27,000.000 9		. 27,000,000 . 9	27,000,000 9		27,000,000 9	27,000,000 9		27,000,000 9	27,000,000 9
10/4/2007	CHECK WIRE	27,000,000		27,000,000	27,000,000		27,000,000	27,000,000		27,000,000	27,000,000

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Column 1	Column 2	Column 3	Column 4 <u>90-Day</u>	Column 5	Column 6 <u>2-Year Fraudulent</u>	Column 7	Column 8	Column 9 <u>6-Year Fraudulent</u>	Coluum 10	Coluum 11 <u>Full History</u>	Column 12 <u>Full History</u>	Column 13 <u>Full History</u>
<u>Date</u>	<u>Transaction</u> <u>Description</u>	Amount per Customer Statement	<u>Preferential</u> <u>Transfers</u>	2-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	2-Year Fraudulent Transfers - Total	6-Year Fraudulent Transfers - Principal	<u>Transfers -</u> <u>Fictitious Profits</u>	6-Year Fraudulent Transfers - Total	<u>Fraudulent</u> <u>Transfers - Principal</u>	Fraudulent Transfers - Fictitious Profits	<u>Frandulent</u> <u>Transfers - Total</u>
10/10/2007 W/H TAX D 10/25/2007 W/H TAX D	DIV MO DIV GE	3,326 8,783		-	3,326 8,783	3,326 8,783		3,326 8,783	3,326 8,783		3,326 8,783	3,326 8,783
	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	0 8			0 8	0 8		0 8	0 8		0 8	0 8
11/15/2007 FIDELITY S	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	17 6		-	17 6	17 6		17 δ	17 6	-		17 č
11/21/2007 W/H TAX D 11/21/2007 W/H TAX D	DIV MER	2,219 26 1			2,219 261	2,219 26 1		2,219 261	2,219 26 1			2,219 26 1
11/30/2007 FIDELITY S	SPARTAN U S TREASURY MONEY MARKET SPARTAN U S TREASURY MONEY MARKET	0 8		-	0 8	0 8	-	0 8	0 8		0 8	0 8
12/3/2007 W/H TAX D 12/3/2007 W/H TAX D	DIV COP	2,159 551			2,159 551	2,159 551		2,159 551	2,159 551			2,159 551
12/10/2007 W/H TAX D 12/10/2007 W/H TAX D	DIV EXC	1,477 341			1,477 341	1,477 341		1,477 341	1,477 341			1,477 341
12/10/2007 W/H TAX D 12/11/2007 W/H TAX D	נאו עוכ	390 2.798		-	390 2,798	390 2,798	-	390 2,798	390 2,798		390 2,798	390 2,798
12/11/2007 FIDELITY S 12/12/2007 W/H TAX D 12/13/2007 W/H TAX D		21 835		-	21 835 1,072	21 835 1,072	-	21 835 1.072	21 835 1.072	-	21 835 1.072	21 835 1,072
12/20/2007 FIDELITY S	SPARTAN U.S TREASURY MONEY MARKET SPARTAN U.S TREASURY MONEY MARKET	1,072 12 11			1,072 12 11	1,072 12 11		1,072 12 11	1,072 12 11			1,072 12 11
1/2/2008 WH TAX D 1/2/2008 WH TAX D	OIV HPQ	161 412			1161 412	161 412		161 412	161 412			161 412
1/3/2008 W/H TAX D		511 18			511 18	511 18		511 18	511 18		511 18	511 18
	SPARTAN U S TREASURY MONEY MARKET	11 2.442		<u> </u>	11 2.442	11 2.442		11 2.442	11 2.442			11 2,442
2/28/2008 W/H TAX D 3/3/2008 W/H TAX D		198 1,621			198 1,621	198 1,621		198 1,621	198 1,621		198 1,621	198 1,621
3/3/2008 W/H TAX D 3/3/2008 W/H TAX D		1,129 1,135			1,129 1,135	1,129 1,135		1,129 1,135	1,129 1,135		1,129 1,135	1,129 1,135
3/4/2008 W/H TAX D 3/4/2008 W/H TAX D	DIV PFE	699 3,256	1	<u> </u>	699 3,256	699 3,256		699 3,256	699 3,256		699 3,256	699 3,256
3/5/2008 W/H TAX D 3/7/2008 W/H TAX D	DIV BA	445 452		- -	445 452	445 452		445 452	445 452		452	445 452
3/10/2008 W/H TAX D 3/10/2008 W/H TAX D	DIV EXC	2,967 495			2,967 495	2,967 495	<u> </u>	2,967 495	2,967 495		2,967 495	2,96 7 495
3/10/2008 W/H TAX D 3/10/2008 W/H TAX D	DIV UTX	1, 885 497			1,885 497	1,885 497		1, 885 497	1,885 497		497	1,885 497
3/10/2008 W/H TAX D 3/11/2008 W/H TAX D	DIV JNJ	848 1,818	1	<u>:</u>	848 1,818	848 1,818	<u> </u>	848 1,818	848 1,818		1,818	848 1,818
3/12/2008 W/H TAX D 3/13/2008 W/H TAX D	DIV MSFT	565 1,352			565 1,352	565 1,352		565 1,352	565 1,352		1,352	565 1,352
3/17/2008 W/H TAX D 3/17/2008 W/H TAX D 3/17/2008 W/H TAX D	DIV WB	344 1,990 689			344 1,990 689	344 1,990 689		344 1,990 689	344 1,990 689	·	344 1,990 689	344 1,990 689
3/17/2008 FIDELITY S	SPARTAN US TREASURY MONEY MARKET SPARTAN US TREASURY MONEY MARKET	25 1			25 1	25 1		25 1	25 1	·	25	25 1
3/24/2008 W/H TAX D 3/27/2008 W/H TAX D	DIV AIG	791 572		·	791 572	791 572		791 572	791 572	-	791 572	791 572
3/28/2008 W/H TAX D 3/31/2008 W/H TAX D	DIV BAC	4,341 901			4,341 901	4,341 901		4,341 901	4,341 901		4,341	4,341 901
4/1/2008 W/H TAX D 4/1/2008 W/H TAX D	OIV KO	1,181 1,289			1,181 1,289	1,181 1,289		1,181 1,289	1,181 1,289		1,181 1,289	1,181 1,289
4/2/2008 W/H TAX D 4/4/2008 FIDELITY S	DIV HPQ SPARTAN USTREASURY MONEY MARKET	317 6			317 6	317 6		317 6	317 6		317 6	317 6
4/4/2008 W/H TAX D 4/7/2008 W/H TAX D		649 839			649 839	649 839		649 839	649 839		649 83 9	649 839
4/25/2008 W/H TAX D		3 4,775	4		3 4,775	3 4,775		3 4,775	3 4,775		3 4,775	3 4,775
4/25/2008 W/H TAX D 4/30/2008 W/H TAX D	NAI AIC	187 1, 707			187 1, 707	187 1, 707		187 1, 707	187 1, 707			187 1, 707
4/30/2008 W/H TAX D 5/1/2008 W/H TAX D	DIV T	371 3.245		-	371 3,245	371 3.245		371 3.245	371 3,245		371 3,245	371 3,245
5/1/2008 W/H TAX D 5/2/2008 W/H TAX D 5/2/2008 W/H TAX D	DIV CVS	1,664 120 359		-	1,664 120 359	1,664 120 359		1,664 120 359	1,664 120 359		1,664 120 359	1,664 120 359
5/9/2008 W/H TAX D 5/15/2008 W/H TAX D	DIV AXP	270 1.697			270 1.697	270 1 697		270 1.697	270 1.697			270 1.697
5/15/2008 W/H TAX D 5/20/2008 W/H TAX D	DIV ABT	764 315			764 315	764 315		764 315	764 315		764 315	764 315
5/23/2008 W/H TAX D		2,157 21			2,157 21 21	2,157 21		2,157 21	2,157 21			2,157 21
5/29/2008 W/H TAX D 6/2/2008 W/H TAX D	DIV GS	175 2,516	3		175 2,516	175 2,516		175 2,516	175 2,516		175 2,516	175 2,516
6/2/2008 W/H TAX D 6/2/2008 W/H TAX D	DIV INTC	1,101 622	<u> </u>	<u> </u>	1,101 622	1,101 622	<u> </u>	1,101 622	1,101 622		1,101 622	1,101 622
6/2/2008 W/H TAX D 6/3/2008 W/H TAX D	DIV PFE	1, 413 5,420			5,420	1,41 3 5,420		1, 413 5,420	1,413 5,420		5,420	1,413 5,420
6/3/2008 W/H TAX D 6/6/2008 W/H TAX D	DIV UPS DIV BA	1,1 33 732			732	1,133 732		1,1 33 732	1,1 33 732	<u> </u>	732	1,133 732
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6/10/2008 W/H TAX D		5,360			5,360	5,360		5,360	5,360	-	5,360	5,360
6/10/2008 W/H TAX D 6/10/2008 W/H TAX D	DIV EXC	806 801			801	806 801		801	806 801	•	801	806 801
6/10/2008 W/H TAX D 6/10/2008 W/H TAX D	DIV IBM	1,110 1,717	<u>.</u>		1,717	1,717		1,717	1,110 1,717		1,717	1,110 1,717
6/10/2008 W/H TAX D 6/12/2008 W/H TAX D 6/12/2008 W/H TAX D	OIV MMM	3,422 916 2.191			916	916		3,422 916 2,191	3,422 916 2,191		916	3,422 916 3,101
	SPARTAN U S TREASURY MONEY MARKET	2,191 9		·	2,191 9	2,191 9		2,191 9	2,191 9		2,19 1 9	2.191 9

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Property	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Coluum 10	Coluum 11	Column 12	Column 13
												Full History	Full History
A													
A	<u>Date</u>	<u>Description</u>	Customer Statement	<u>Transfers</u>	<u> Transfers - Principal</u>	Fictitious Profits	Transfers - Total	<u> Transfers - Principal</u>	Fictitious Profits	<u>Transfers - Total</u>	<u> Transfers - Principal</u>	Fictitious Profits	Transfers - Total
Page The Color Color The Color	7/23/2008 FIDELITY S	SPARTAN U.S TREASURY MONEY MARKET	0			0	Ü		9	0		0.	0
PATRIX STRIAGEN WINTY MICHAELY 1			126	·	·	126	126	•	126	126	•	126	126
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1													
Page Mark No. 19				2									
10-200 WETAKED MAC				······································	.						······		
10-2000 PROPERTY AS ENTER ARRAY NOTE TO A PARTY AS ENTER A								E .					
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10-2500 WITAX DIV NCC			769					······································					
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10-7-700 WIT TAX DIV MYC 98													
10-72-006 WIT TAX DIV CVF													
10072006 POPLITY STRATAN VSTRUARS WARRET 2			908				908		908	908	.		
1072006 WITAXDDY DN 1546 2.461	10/2/2008 FIDELITY S	SPARTAN U S TREASURY MONEY MARKET	2			2	2		2	2		2	
10-22008 WE TAXID PLY NETACH 12-51 2-4	10/2/2008 W/H TAX D	OIV WMT	987			987	987		987	987	-	987	
102-2008 WHITAX DIV PS	10/2/2008 W/H TAX D	DIV JNJ			<u>.</u>	2,346	2,346		2,346				
10-12/200 WIT TAX DY MAT				-	·			·			-		
102/2006 WHITTAX DIV NOTE													
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10/2006 WH TAX DIV BM S5													
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10/27008 WH TAX DIV PFE			11			11	11		- 11	11		11	
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14/2008 HIAZ DIV MO													
1142008 WHITAX DV MEK 1 1 1 1 1 1 1 1 1													
11/4/2008 WH TAX DIV MEK 1,453 - 1,453 1,453 - 1,453 1,453 - 1,453 1,453 1,453 1,453 1,453 1,453 1,453 1,453 1,453 1,453 1,452 1,453			268	·	······	268	268		268	268	······································	268	268
14/2008 WH TAX DIV ID S5			1		-	1	1		1	1		1	1
11/4/2008 WH TAX DIV KO											.		
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114/2008 WH TAX DIV BAX 253 - 253 253 - 253 253 - 253 253 253 253 253 253 253 253 253 253													
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Total: \$ - \$ 85,495,336 \$ 89,306,362 \$ 174,801,698 \$ 126,294,150 \$ 89,306,362 \$ 215,600,512 \$ 126,674,218 \$ 89,306,362 \$ 215,980,580	12/3/2008 FIDELITY S	SPARTAN U S TREASURY MONEY MARKET	1			1	1		1	<u> </u>		1	1
			Total:	s -	\$ 85,495,336	\$ 89,306,362	\$ 174,801,698	\$ 126,294,150	\$ 89,306,362	\$ 215,600,512	\$ 126,674,218	\$ 89,306,362	\$ 215,980,580

Exhibit C

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SUMMARY SCHEDULE

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
Account Number	Account Name	<u>Preferential</u> <u>Transfers</u>	Two Year Fictitious Profit Transfers	<u>Two Year</u> <u>Principal</u> <u>Transfers</u>	<u>Six Year</u> <u>Fictitious Profit</u> <u>Transfers</u>	Six Year Principal Transfers	<u>Full History</u> <u>Fictitious Profit</u> <u>Transfers</u>	<u>Full History</u> <u>Principal</u> <u>Transfers</u>
1FN027	MONTPELLIER INTERNATIONAL LDC C/O QUINN & HAMPSON, REDACTED	· -	-	-	-	-	7,124	283,901
gesaar	INVERSIONES CIOQUES REDACTED REDACTED	-	-	-	-	-	687,354	900000
1FN067	AURORA RESOURCES LIMITED	-	-	-	-	-	111	548,339
1FR034	OLYMPUS ASSETS LDC REDACTED	-	-		-	-	103	9,860
1FR055	HCH MANAGEMENT COMPANY LIMITED REDACTED	CTED -	-	-	-	-	8,905	32,006
FERNITE	LEGACY CAPITAL LIMITED COLLEED MANAGEME REDACTED	NT LTD	989,3166,3662	85,495,338	89,508,362	126,294,130	299_3009_3602	126,674,218
	Enter her fine at the ter	Takalı	\$69,306,362	585,495,336	\$89,306,362	\$126,294,150	\$90,009,958	\$128,348,324

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Case No. 08-01789 (BRL)

Plaintiff-Applicant.

SIPA LIQUIDATION

-against-

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

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

Adv. Pro. No. 10-05286 (BRL)

Plaintiff,

-against-

LEGACY CAPITAL LTD., ISAAC JIMMY MAYER, RAFAEL MAYER, DAVID MAYER, KHRONOS LLC, KHRONOS CAPITAL RESEARCH LLC, BNP PARIBAS SECURITIES CORP., HCH MANAGEMENT COMPANY LTD., MONTPELLIER RESOURCES LTD., INVERSIONES COQUE S.A., AURORA RESOURCES LTD., and OLYMPUS ASSETS LDC,

Defendants.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the consolidated estate of Bernard L. Madoff ("Madoff"), and defendants Isaac Jimmy Mayer, Rafael Mayer, David Mayer, Khronos LLC, Khronos Capital Research

LLC, and BNP Paribas Securities Corp. (the "Stipulating Defendants"), by and through their undersigned counsel, that the count for unjust enrichment in the complaint in the above-referenced action (the "Complaint") is dismissed without prejudice.

On December 6, 2010, the Trustee filed the Complaint against Legacy Capital Ltd., Isaac Jimmy Mayer, Rafael Mayer, David Mayer, Khronos LLC, Khronos Capital Research LLC, BNP Paribas Securities Corp., Montpellier Resources Ltd., HCH Management Company Ltd., Inversiones Coque S.A., Aurora Resources Ltd., and Olympus Assets LDC (together, the "Defendants") in the United States Bankruptcy Court in the Southern District of New York, alleging, among other things, preference and fraudulent transfer claims under the Bankruptcy Code and, in Count 9 a claim for unjust enrichment (referred to as the "Common Law Claim"), respectively, against Isaac Jimmy Mayer, Rafael Mayer, David Mayer, BNP Paribas Securities Corp., Khronos LLC, and Khronos Capital Research LLC; and

On July 28, 2011, the United States District Court in the Southern District of New York determined in *Picard v. HSBC Bank PLC*, ____ B.R. ____, 2011 WL 3200298 (S.D.N.Y. 2011) appeal docketed, No. 11 Civ. 763 (JSR) (2d Cir. Aug. 26, 2011) ("*HSBC Decision*"), that the Trustee in that case, under those circumstances, does not have standing to pursue common law claims against third parties, including claims for unjust enrichment; and

The parties wish to avoid the expense and time of devoting additional resources in connection with the Common Law Claim pending an appeal from the HSBC Decision. As such, the Trustee and the Stipulating Defendants hereby agree that the Common Law Claim is dismissed without prejudice, and without costs.

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The Trustee hereby agrees that the Common Law Claim shall not be reinstated against

any defendant in the above action unless and until there is a final order issued by United States

District Judge Jed S. Rakoff, the United States Court of Appeals for the Second Circuit, or the

Supreme Court of the United States, permitting the Trustee to assert common law claims against

third parties, such as the Defendants (collectively, a "Pro-Standing Order").

The Trustee and the Defendants hereby further agree that the limitations period for the

Common Law Claim shall be tolled for six (6) months after entry of the first such Pro-Standing

Order, if any.

The Stipulating Defendants reserve all rights to move upon any amended complaint, on

any basis.

This Stipulation may be modified by written agreement between counsel for the parties.

This Stipulation is entered into pursuant to the Order Regarding Stipulations Extending Time to

Respond and Adjourning Pre-Trial Conferences (Dkt. No. 4158) in the Case.

Dated: October 28, 2011

BAKER & HOSTETLER LLP

By: /s/_*Timothy S. Pfeifer*__

Timothy S. Pfeifer Marco Molina

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

Attorneys for Plaintiff Irving R. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment

Securities LLC

STEARNS WEAVER MILLER WEISSLER ALHADEFF & SITTERSON, P.A.

By: /s/__Carlos Canino__

Eugene E. Stearns Carlos Canino

Museum Tower

150 West Flager Street, Suite 2200

Miami, FL 33130

Telephone: (305) 789-3200 Facsimile: (305) 789-3395

Attorneys for Defendant Isaac Jimmy Mayer

DICKSTEIN SHAPIRO LLP

By: /s/__*Eric B. Fisher*____

Eric B. Fisher Barry N. Seidel

1633 Broadway

New York, New York 10019 Telephone: (212) 277-6681 Facsimile: (917) 677-8188

Attorneys for Defendants Rafael Mayer, David Mayer, Khronos LLC, and Khronos Capital Research LLC

CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: /s/____*Breon S. Peace*____

Breon S. Peace Kathleya Chotiros

One Liberty Plaza New York, NY 10006

Telephone: (212) 225-2059

Facsimile: (212) 225-3999

Attorneys for Defendant BNP Paribas Securities Corp.