

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RICHARD SURABIAN, et al.,

Appellants,

v.

13 Civ. 2649 (AKH)

IRVING H. PICARD,

Appellee,

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

**DECLARATION OF AMY VANDERWAL IN SUPPORT OF THE TRUSTEE'S
MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS APPEAL OF
ORDER EXPUNGING APPELLANTS' CLAIMS**

I, Amy Vanderwal, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an associate with Baker & Hostetler LLP. I am a member of both the New York Bar and the Southern District of New York, and am in good standing.
2. Baker & Hostetler LLP is counsel to Irving H. Picard, the Trustee appointed by the United States District Court for the Southern District of New York for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS"), under the Securities Investor Protection Act ("SIPA"), and for Bernard L. Madoff ("Madoff").
3. I make this declaration based upon the information and knowledge acquired during the course of Baker & Hostetler LLP's engagement as counsel to the Trustee.
4. Attached hereto as Exhibit A are true and correct copies of the eight claims filed by the Surabians.

5. Attached hereto as Exhibit B is a true and correct copy of the Trustee's denials of the Surabians' claims on December 8, 2009.

6. Attached hereto as Exhibit C is a true and correct copy of Judge Forrest's January 28, 2013 Order dismissing the Surabian appeal of the Second Interim Distribution Order.

7. Attached hereto as Exhibit D is a true and correct copy of the Affidavit of Service, dated March 16, 2012, for the Third Omnibus Motion, which certified that the Surabians were served.

8. Attached hereto as Exhibit E is a true and correct copy of a transcript of the April 17, 2010 telephone conversation between Mr. Steven Surabian and Mr. Oleg Bitman regarding the rescheduled date for the Bankruptcy Court's hearing on the Third Omnibus Motion.

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

Dated: New York, New York
May 14, 2013

By:



Amy Vanderwal

EXHIBIT A

(Part 1)

Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U S Bankruptcy Court for the Southern District of New York
Claim Number: 001802

CUSTOMER CLAIM

Claim Number _____

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

RECEIVED

DECEMBER 11, 2008

FEB 09 2009

PLACE MAILING LABEL HERE

*STEPHANIE LAFASH-SURABIAN
STEVEN SURABIAN
1230 R+28
S. YARMOUTH MA.
02664*

Provide your office and home telephone no

OFFICE: _____

HOME: _____

Taxpayer I.D. Number (Social Security No.) _____

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

1. Claim for money balances as of **December 11, 2008**:
 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

- c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____
- d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

- | | YES | NO |
|---|------------|-----------|
| a. The Broker owes me securities | <u>YES</u> | _____ |
| b. I owe the Broker securities | _____ | <u>NO</u> |
| c. If yes to either, please list below: | | |

		Number of Shares or Face Amount of Bonds	
Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	I Owe the Broker (Short)
_____	<u>SEE ATTACHED 2 pg. Sheet</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>No</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>No</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>No</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>No</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>No</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>No</u>

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

_____ No

Please list the full name and address of anyone assisting you in the preparation of this claim form: _____

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

DIED OCT 13th 2008

Date 2-5-09

Signature STEPHANIE LAFLASH-SURABIAN

Date 2-5-09

Signature Steven Surabiani

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:


Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Stephanie LaFlash-Surabian

Steven Surabian
Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
10/93	Apple Inc	300	
06/93	Amgen Inc	350	
10/92	Agco Corp	600	
03/92	Apache Corp	250	
06/92	Best Buy	1,000	
04/92	BJ Services Corp	1,000	
08/92	Brown & Brown	1,500	
10/93	Dell	4,000	
05/92	EMC Corp	4,000	
03/92	Hess Corp	100	
08/92	Honda Motor Co Ltd	250	
09/93	International Business Machine	300	
08/93	Johnson & Johnson	250	
09/92	K B Homes	250	
08/93	Lowes Co Inc	200	
10/92	Mo Hawk Industries	250	
08/92	Men's Wearhouse Inc	250	
12/93	Nike Inc	250	
02/93	Pfizer Inc	400	
01/94	Star Bucks	1,500	

Stephanie LaFlash-Surabian
Steven Surabian



Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
04/93	Sunoco Inc	100	
10/92	Symantec Corp	2,000	
01/94	Molson Coors Brewing	200	
06/92	Walgreen Co	400	
04/92	Exxon	100	

In the Summer of 1991 four accounts were open with Madoff Securities, with each account to mirror each other. The accounts were in the names of:

1. Richard Surabian
2. Steven Surabian
3. Martin M. Surabian, Alice V. Surabian, Richard Surabian and Steven Surabian
4. Alice V. Surabian, Martin M. Surabian, Richard Surabian and Steven Surabian

Nothing was ever sold or any money ever taking out.

Our four statements reflected our deposits and purchases of securities and showed great return.

So in 1992 we opened three more accounts:

One in the name of Stephanie LaFlash and Steven Surabian. Stephanie was Steve Surabian's daughter who did later change her name to Stephanie LaFlash-Surabian. The other two accounts will be half of value of Stephanie's. These accounts were in the names of Erik M. Surabian and Richard Surabian and the last account was in the name of Kristen E. Surabian and Richard Surabian.

Again no money was never taking out nor were any securities sold.

Everything matched the statements.

In the Spring of 2006 we informed Madoff we wanted to start to cash out everything. After which the statements stopped, we then realized we have been taking.

We had long since discarded or lost track of the original paperwork plus we have had several burglaries at our business and home and we now believe these papers may have been taken during these burglaries.

We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

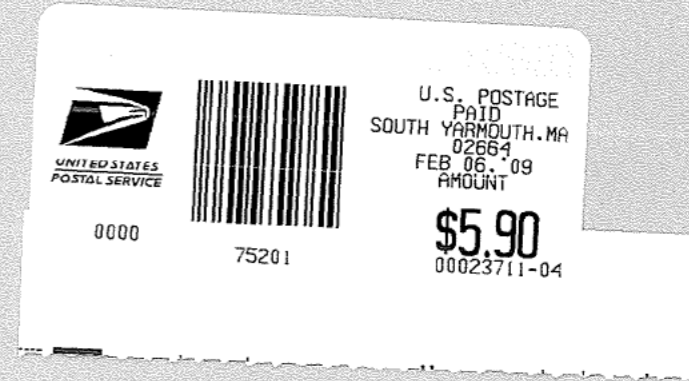
SunABIRI
1230 RT 28
SO YARMOUTH
MA 02664

CERTIFIED MAIL™



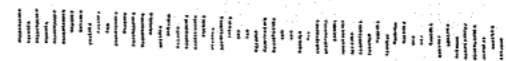
7007 2680 0002 8173 8032

RETURN RECEIPT
REQUESTED



IRVING H. PICARD, Esq.,
Trustee for BERNARD L. MADOFF
INVESTMENTS SECURITIES LLC
CLAIMS PROCESSING CENTER
2100 MCKINNEY AVE., SUITE 800
DALLAS, TX 75201

FIRST CLASS MAIL



Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U S Bankruptcy Court for the Southern District of New York
Claim Number: 001895

CUSTOMER CLAIM

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

RECEIVED

DECEMBER 11, 2008

FEB 09 2009

PLACE MAILING LABEL HERE

MARTIN M. SURABIAN
ALICE V. SURABIAN
RICHARD SURABIAN
STEVEN SURABIAN
P.O. Box 397
454 CRAIGVILLE BEACH Rd.
W. HYANNISPORT MA, 02672

Provide your office and home telephone no.

OFFICE: [REDACTED]

HOME: [REDACTED]

Taxpayer I.D. Number (Social Security No.)

[REDACTED]

(If incorrect, please change)

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 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

c. If you wish to repay the Debit Balance,
 please insert the amount you wish to repay and
 attach a check payable to "Irving H. Picard, Esq.,
 Trustee for Bernard L. Madoff Investment Securities LLC."
 If you wish to make a payment, **it must be enclosed**
 with this claim form. \$ _____

d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>YES</u>	<u> </u>
b. I owe the Broker securities	<u> </u>	<u>NO</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me. ₂ (Long)	I Owe the Broker (Short)
_____	<u>SEE ATTACHED 3pg. Sheets</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain. | _____ | _____ <i>No</i> |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker? | _____ | _____ <i>No</i> |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____ | _____ <i>No</i> |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s) | _____ | _____ <i>No</i> |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming. | _____ | _____ <i>No</i> |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers. | _____ | _____ <i>No</i> |

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

No

Please list the full name and address of anyone assisting you in the preparation of this claim form: STEVEN SURABIAN
1230 Rt 28 S. YARMOUTH MA. 02664

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

2-4-09
Date 2-4-09

Martin M. Surabian
Signature ALICE WIFE DIED

2-4-09
Date 2-4-09

Richard Surabian
Signature Steven Surabian

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

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Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

SEE ATTACHED SHEET FOR OWNERS ADDRESS
AND PHONE NUMBERS

Martin M. Surabian
 Alice V. Surabian
 Richard Surabian
 Steven Surabian



Number of Shares or
 Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
10/91	Applied Materials	3,000	
06/93	Amgen Inc	350	
10/91	Analog Devices Inc	1,000	
10/92	Agco Corp	600	
03/92	Apache Corp	250	
12/91	Best Buy	2,500	
06/92	Best Buy	1,000	
04/92	BJ Services Corp	1,000	
12/91	Bank of New York Mellon Corp	500	
08/92	Brown & Brown	1,500	
12/91	Caterpillar Inc	250	
07/91	Colgate-Palmolive Co	150	
11/91	Clorox Co	150	
10/91	Cisco Systems	4,000	
10/93	Dell	4,000	
05/92	EMC Corp	4,000	
09/91	General Dynamics	250	
08/91	Home Depot Inc	250	
12/91	Harley-Davidson Inc	1,000	

Martin M. Surabian
 Alice V. Surabian
 Richard Surabian
 Steven Surabian



Number of Shares or
 Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
03/92	Hess Corp	100	
08/92	Honda Motor Co Ltd	250	
11/91	Hovnanian Enterprises Inc	400	
11/91	Hewlett Packard	200	
11/91	Intel Corp	1,500	
09/93	International Business Machine	100	
08/93	Johnson & Johnson	150	
09/92	K B Homes	250	
08/93	Lowes Co Inc	200	
10/91	Mc Graw Hill Publishing	250	
10/92	Mo Hawk Industries	250	
08/92	Men's Wearhouse Inc	500	
07/91	Nike Inc	300	
08/91	Oracle Corp	5,000	
02/92	Pfizer Inc	400	
11/91	Procter & Gamble	150	
01/94	Star Bucks	1,500	
04/93	Sunoco Inc	100	
10/92	Symantec Corp	2,000	

Martin M. Surabian
Alice V. Surabian
Richard Surabian
Steven Surabian



Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
01/94	Molson Coors Brewing	200	
12/91	Target Corp	400	
11/91	Toll Brothers	1,000	
12/91	Texas Instruments	750	
06/92	Walgreen Co	400	
04/92	Exxon	100	

In the Summer of 1991 four accounts were open with Madoff Securities, with each account to mirror each other. The accounts were in the names of:

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In the Spring of 2006 we informed Madoff we wanted to start to cash out everything. After which the statements stopped, we then realized we have been taking.

We had long since discarded or lost track of the original paperwork plus we have had several burglaries at our business and home and we now believe these papers may have been taken during these burglaries.

We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

MARTIN M. SURABIAN
P.O. Box 397
W. Hyannisport MA,
02672

25% ownership


ALICE V. SURABIAN
DIED

25% ownership

RICHARD SURABIAN
P.O. Box 397
W. Hyannisport MA,
02672

25% ownership


STEVEN SURABIAN
1230 Rt. 28
S. YARMOUTH MA,
02664

25% ownership

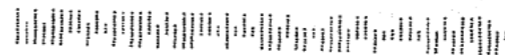

Martin M. Surabian
Richard Surabian
Steven Surabian

Martin M. Sun 7/31/12
P.O. Box 397
W. Hyannisport MA
02672



Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff
Investments Securities LLC
Claims Processing Center
2100 McKinney Ave, Suite 800
Dallas TX 75201

RETURN RECEIPT
REQUESTED



Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U S Bankruptcy Court for the Southern District of New York
Claim Number: 001896

CUSTOMER CLAIM

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

RECEIVED

In Liquidation

FEB 09 2009

DECEMBER 11, 2008

PLACE MAILING LABEL HERE
STEVEN SURABIAN
1230 R+28
S. YARMOUTH MA.
02664

Provide your office and home telephone no.

OFFICE: _____

HOME: _____

Taxpayer I.D. Number (Social Security No.)

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

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If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____

d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>YES</u>	_____
b. I owe the Broker securities	_____	<u>No</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	Number of Shares or Face Amount of Bonds I Owe the Broker (Short)
_____	<u>SEE ATTACHED 3pg. LIST</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

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PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain. | _____ | <u>No</u> |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker? | _____ | <u>No</u> |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____ | <u>No</u> |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s) | _____ | <u>No</u> |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming. | _____ | <u>No</u> |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers. | _____ | <u>No</u> |

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

No

Please list the full name and address of anyone assisting you in the preparation of this claim form: _____

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date 02/04/09 Signature Steve Seaborn

Date _____ Signature _____

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Steven Surabian



Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
10/91	Applied Materials	3,000	
06/93	Amgen Inc	350	
10/91	Analog Devices Inc	1,000	
10/92	Agco Corp	600	
03/92	Apache Corp	250	
12/91	Best Buy	2,500	
06/92	Best Buy	1,000	
04/92	BJ Services Corp	1,000	
12/91	Bank of New York Mellon Corp	500	
08/92	Brown & Brown	1,500	
12/91	Caterpillar Inc	250	
07/91	Colgate-Palmolive Co	150	
11/91	Clorox Co	150	
10/91	Cisco Systems	4,000	
10/93	Dell	4,000	
05/92	EMC Corp	4,000	
09/91	General Dynamics	250	
08/91	Home Depot Inc	250	
12/91	Harley-Davidson Inc	1,000	

Steven Surabian



Date of Transaction (trade date)	Name of Security	Number of Shares or <u>Face Amount of Bonds</u>	
		The broker Owes Me (Long)	I Owe the Broker (Short)
03/92	Hess Corp	100	
08/92	Honda Motor Co Ltd	250	
11/91	Hovnanian Enterprises Inc	400	
11/91	Hewlett Packard	200	
11/91	Intel Corp	1,500	
09/93	International Business Machine	100	
08/93	Johnson & Johnson	150	
09/92	K B Homes	250	
08/93	Lowes Co Inc	200	
10/91	Mc Graw Hill Publishing	250	
10/92	Mo Hawk Industries	250	
08/92	Men's Wearhouse Inc	500	
07/91	Nike Inc	300	
08/91	Oracle Corp	5,000	
02/92	Pfizer Inc	400	
11/91	Procter & Gamble	150	
01/94	Star Bucks	1,500	
04/93	Sunoco Inc	100	
10/92	Symantec Corp	2,000	

Steven Surabian

Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
01/94	Molson Coors Brewing	200	
12/91	Target Corp	400	
11/91	Toll Brothers	1,000	
12/91	Texas Instruments	750	
06/92	Walgreen Co	400	
04/92	Exxon	100	

In the Summer of 1991 four accounts were open with Madoff Securities, with each account to mirror each other. The accounts were in the names of:

1. Richard Surabian
2. Steven Surabian
3. Martin M. Surabian, Alice V. Surabian, Richard Surabian and Steven Surabian
4. Alice V. Surabian, Martin M. Surabian, Richard Surabian and Steven Surabian

Nothing was ever sold or any money ever taking out.

Our four statements reflected our deposits and purchases of securities and showed great return.

So in 1992 we opened three more accounts:

One in the name of Stephanie LaFlash and Steven Surabian. Stephanie was Steve Surabian's daughter who did later change her name to Stephanie LaFlash-Surabian. The other two accounts will be half of value of Stephanie's. These accounts were in the names of Erik M. Surabian and Richard Surabian and the last account was in the name of Kristen E. Surabian and Richard Surabian.

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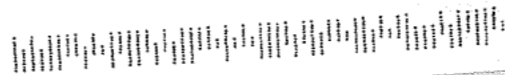
We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

STEVEN SUNABIAN
1230 RT 28
SOUTH YARMOUTH MA
02664



Irving H. Picard, Esq.
Trustee for Bernard L. Madoff
Securities Investments LLC
Claims Processing Center
2100 McKinney Ave Suite 800
Dallas, TX 75201

RETURN RECEIPT
REQUESTED



Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U S Bankruptcy Court for the Southern District of New York
Claim Number: 001897

CUSTOMER CLAIM

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

RECEIVED
FEB 09 2009

In Liquidation

DECEMBER 11, 2008

PLACE MAILING LABEL HERE

ALICE V. SURABIAN
P.O. Box 397

454 CRAIGVILLE Beach Rd.
W. Hyannisport MA. 02672

MARTIN M. SURABIAN
RICHARD SURABIAN
STEVEN SURABIAN

Provide your office and home telephone no.

OFFICE: [REDACTED]

HOME: [REDACTED]

Taxpayer I.D. Number (Social Security No.)

[REDACTED]

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

- 1. Claim for money balances as of **December 11, 2008**:
 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

- c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____
- d. If balance is zero, insert "None." None

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

- | | | |
|---|------------|-----------|
| | <u>YES</u> | <u>NO</u> |
| a. The Broker owes me securities | <u>YES</u> | _____ |
| b. I owe the Broker securities | _____ | <u>NO</u> |
| c. If yes to either, please list below: | | |

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
_____	<u>SEE ATTACHED 3pg. Sheet</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>No</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>No</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>No</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>No</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>No</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>No</u>

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

No

Please list the full name and address of anyone assisting you in the preparation of this claim form: STEVEN SURABIAN

1230 Rt 28 S. YARMOUTH MA. 02664

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

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THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

DIED

Date 2-4-09

Signature Martin M. Surabian

Date 2-4-09

Signature Richard Surabian

2-4-09

[Signature]

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

5/11

Alice V. Surabian
 Martin M. Surabian
 Richard Surabian
 Steven Surabian



Date of Transaction (trade date)	Name of Security	<u>Number of Shares or Face Amount of Bonds</u>	
		The broker Owes Me (Long)	I Owe the Broker (Short)
10/91	Applied Materials	3,000	
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10/91	Analog Devices Inc	1,000	
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05/92	EMC Corp	4,000	
09/91	General Dynamics	250	
08/91	Home Depot Inc	250	
12/91	Harley-Davidson Inc	1,000	

Alice V. Surabian
 Martin M. Surabian
 Richard Surabian
 Steven Surabian



Number of Shares or
 Face Amount of Bonds

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11/91	Hewlett Packard	200	
11/91	Intel Corp	1,500	
09/93	International Business Machine	100	
08/93	Johnson & Johnson	150	
09/92	K B Homes	250	
08/93	Lowes Co Inc	200	
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10/92	Mo Hawk Industries	250	
08/92	Men's Wearhouse Inc	500	
07/91	Nike Inc	300	
08/91	Oracle Corp	5,000	
02/92	Pfizer Inc	400	
11/91	Procter & Gamble	150	
01/94	Star Bucks	1,500	
04/93	Sunoco Inc	100	
10/92	Symantec Corp	2,000	

Alice V. Surabian
Martin M. Surabian
Richard Surabian
Steven Surabian



Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
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04/92	Exxon	100	

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Nothing was ever sold or any money ever taking out.

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Again no money was never taking out nor were any securities sold.

Everything matched the statements.

In the Spring of 2006 we informed Madoff we wanted to start to cash out everything. After which the statements stopped, we then realized we have been taking.

We had long since discarded or lost track of the original paperwork plus we have had several burglaries at our business and home and we now believe these papers may have been taken during these burglaries.

We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

ALICE V. SURABIAN
Died

25% Ownership

MARTIN M. SURABIAN
P.O. BOX 397
W. HYANNISPORT MA.
02672

25% Ownership

RICHARD SURABIAN
P.O. BOX 397
W. HYANNISPORT MA.
02672

25% Ownership

STEVEN SURABIAN
1230 R+28
S. YARMOUTH MA.
02664

25% Ownership

Martin M. Surabian
Richard Surabian
Steven Surabian

SUNABIAN
P.O. Box 397
W. Hyannisport
MA 02672



IRVING H. PICARD, ESQ.,
TRUSTEE FOR BERNARD L MADOFF
INVESTMENTS SECURITIES LLC
CLAIMS PROCESSING CENTER
2100 MCKINNEY AVE SUITE 800
DALLAS, TX 75201

RETURN RECEIPT
REQUESTED

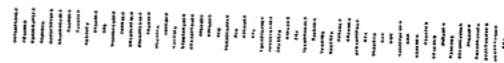


EXHIBIT A

(Part 2)

CUSTOMER CLAIM

Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U.S. Bankruptcy Court for the Southern District of New York
Claim Number: 001949

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008

RECEIVED

FEB 09 2009

PLACE MAILING LABEL HERE

Richard SURABIAN
P.O. Box 397
454 CRAIGVILLE BEACH Rd.
W. HYANNISPORT MA.
02672

Provide your office and home telephone no.

OFFICE:

HOME:

Taxpayer I.D. Number (Social Security No.)

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

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 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC."

If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____

d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>YES</u>	_____
b. I owe the Broker securities	_____	<u>No</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	The Broker Owes Me. (Long)	Number of Shares or Face Amount of Bonds	I Owe the Broker (Short)
_____	<u>SEE Attached 3pg. List</u>	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>No</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>No</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>No</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>No</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>No</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>No</u>

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

No

Please list the full name and address of anyone assisting you in the preparation of this claim form: STEVEN SURABIAN
1230 R+28 S. YARMOUTH MA. 02664

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THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

W Date 2-4-09 Signature Richard Surabian

Date _____ Signature _____

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)


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Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Richard Surabian



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Richard Surabian


Date of Transaction (trade date)	Name of Security	Number of Shares or <u>Face Amount of Bonds</u>	
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Number of Shares or
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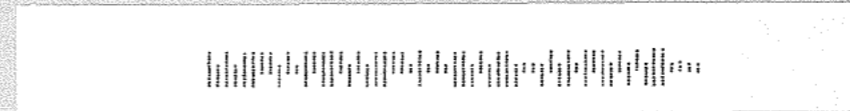
We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

Richard Surabian
PO Box 397
W. Hyannis ports MA
02672



IRVING H. PICKARD, ESQ.
TRUSTEE FOR BERNARD L. MADOFF
INVESTMENTS & SECURITIES LLC
CLAIMS PROCESSING CENTER
2100 MCKINNEY AVE SUITE 800
DALLAS, TX. 75201

RETURN RECEIPT
REQUESTED



CUSTOMER CLAIM

Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U.S. Bankruptcy Court for the Southern District of New York
Claim Number: 002185

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

RECEIVED

DECEMBER 11, 2008

FEB 13 2009

PLACE MAILING LABEL HERE

ERIK M. SURABIAN
Richard SURABIAN
526 White Plains Rd
WEBSTER NH. 03303

Provide your office and home telephone no.

OFFICE: [REDACTED]

HOME: [REDACTED]

Taxpayer I.D. Number (Social Security No.)

[REDACTED]

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

- 1. Claim for money balances as of **December 11, 2008**:
 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

- c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____
- d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

- | | | |
|---|---------------|---------------|
| | <u>YES</u> | <u>NO</u> |
| a. The Broker owes me securities | <u>YES</u> | <u> </u> |
| b. I owe the Broker securities | <u> </u> | <u>NO</u> |
| c. If yes to either, please list below: | | |

		Number of Shares or Face Amount of Bonds	
Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	I Owe the Broker (Short)
	<u>SEE ATTACHED 2 PG. SHEETS</u>		

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>No</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>No</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>No</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>No</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>No</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>No</u>

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

_____ No

Please list the full name and address of anyone assisting you in the preparation of this claim form: STEVEN SURABIAN

1230 Rt 28 S. YARMOUTH MA. 02664

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

X Date Feb 2, 09 Signature [Signature]

Date Feb 2, 09 Signature Richard Surabian

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

ERIK M. SURABIAN
526 White PLAINS Rd
Webster N.H. 03303

OWNERSHIP
50%

RICHARD SURABIAN
P.O. Box 397
454 CRAIGVILLE BEACH Rd.
W. Hyannisport MA. 02672

OWNERSHIP
50%

Richard Surabian

Erik M. Surabian
Richard Surabian



Date of Transaction (trade date)	Name of Security	<u>Number of Shares or Face Amount of Bonds</u>	
		The broker Owes Me (Long)	I Owe the Broker (Short)
10/93	Apple Inc	150	
06/93	Amgen Inc	175	
10/92	Agco Corp	300	
03/92	Apache Corp	125	
06/92	Best Buy	500	
04/92	BJ Services Corp	500	
08/92	Brown & Brown	750	
10/93	Dell	2,000	
05/92	EMC Corp	2,000	
03/92	Hess Corp	50	
08/92	Honda Motor Co Ltd	125	
09/93	International Business Machine	150	
08/93	Johnson & Johnson	125	
09/92	K B Homes	125	
08/93	Lowe's Co Inc	100	
10/92	Mo Hawk Industries	125	
08/92	Men's Wearhouse Inc	125	
12/93	Nike Inc	125	
02/93	Pfizer Inc	200	

Erik M. Surabian

Richard Surabian

Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
01/94	Star Bucks	750	
04/93	Sunoco Inc	50	
10/92	Symantec Corp	1,000	
01/94	Molson Coors Brewing	100	
06/92	Walgreen Co	200	
04/92	Exxon	50	

In the Summer of 1991 four accounts were open with Madoff Securities, with each account to mirror each other. The accounts were in the names of:

1. Richard Surabian
2. Steven Surabian
3. Martin M. Surabian, Alice V. Surabian, Richard Surabian and Steven Surabian
4. Alice V. Surabian, Martin M. Surabian, Richard Surabian and Steven Surabian

Nothing was ever sold or any money ever taking out.

Our four statements reflected our deposits and purchases of securities and showed great return.

So in 1992 we opened three more accounts:

One in the name of Stephanie LaFlash and Steven Surabian. Stephanie was Steve Surabian's daughter who did later change her name to Stephanie LaFlash-Surabian. The other two accounts will be half of value of Stephanie's. These accounts were in the names of Erik M. Surabian and Richard Surabian and the last account was in the name of Kristen E. Surabian and Richard Surabian.

Again no money was never taking out nor were any securities sold.

Everything matched the statements.

In the Spring of 2006 we informed Madoff we wanted to start to cash out everything. After which the statements stopped, we then realized we have been taking.

We had long since discarded or lost track of the original paperwork plus we have had several burglaries at our business and home and we now believe these papers may have been taken during these burglaries.

We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

SURABIAN
P.O. Box 397
West Hyannisport
MA 02672

CERTIFIED MAIL™



7007 2680 0002 8173 8049



0000



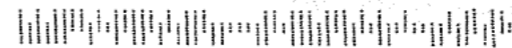
75201

U.S. POSTAGE
PAID
WEST HYANNISPOR. MA
02672
FEB 10, 09
AMOUNT

\$5.90

00050121-04

IRVING H PICARD, ESQ.
TRUSTEE FOR BERNARD L. MADOFF
INVESTMENTS SECURITIES LLC
CLAIMS PROCESSING CENTER
2100 MCKINNEY AVE SUITE 800
DALLAS, TX 75201



CUSTOMER CLAIM

Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U S Bankruptcy Court for the Southern District of New York
Claim Number: 002186

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

RECEIVED

DECEMBER 11, 2008

FEB 13 2009

PLACE MAILING LABEL HERE

KRISTEN E. SURABIAN
RICHARD SURABIAN
526 White PLAINS Rd
Webster NH, 03303

Provide your office and home telephone no.

OFFICE:

HOME:

Taxpayer I.D. Number (Social Security No.)

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

- *****
1. Claim for money balances as of **December 11, 2008**:
 - a. The Broker owes me a Credit (Cr.) Balance of \$ _____
 - b. I owe the Broker a Debit (Dr.) Balance of \$ _____

c. If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, **it must be enclosed** with this claim form. \$ _____

d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

- | | | |
|---|------------|-----------|
| | YES | NO |
| a. The Broker owes me securities | <u>YES</u> | _____ |
| b. I owe the Broker securities | _____ | <u>NO</u> |
| c. If yes to either, please list below: _____ | | |

Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	I Owe the Broker (Short)
_____	<u>SEE ATTACHED 2 PG. SHEETS</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain. | _____ | <u>No</u> |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker? | _____ | <u>No</u> |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____ | <u>No</u> |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s) | _____ | <u>No</u> |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming. | _____ | <u>No</u> |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers. | _____ | <u>No</u> |

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

NO

Please list the full name and address of anyone assisting you in the preparation of this claim form:

STEVEN SURABIAN
1230 Rt 28 S. YARMOUTH MA. 02664

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THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

X Date Feb 2, 09 Signature Steven Surabian
Date Feb 2, 09 Signature Richard Surabian

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Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

KRISTEN E. SURABIAN
526 White PLAINS Rd.
Webster N.H. 03303

OWNERSHIP
50%

RICHARD SURABIAN
P.O. Box 397
454 CRAIGVILLE Beach Rd.
W. HyANNISPORT MA. 02672

OWNERSHIP
50%

Richard Surabian


Kristen E. Surabian

Richard Surabian



Date of Transaction (trade date)	Name of Security	<u>Number of Shares or Face Amount of Bonds</u>	
		The broker Owes Me (Long)	I Owe the Broker (Short)
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03/92	Apache Corp	125	
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04/92	BJ Services Corp	500	
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03/92	Hess Corp	50	
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08/93	Johnson & Johnson	125	
09/92	K B Homes	125	
08/93	Lowes Co Inc	100	
10/92	Mo Hawk Industries	125	
08/92	Men's Wearhouse Inc	125	
12/93	Nike Inc	125	
02/93	Pfizer Inc	200	

Kristen E. Surabian
Richard Surabian



Date of Transaction (trade date)	Name of Security	<u>Number of Shares or Face Amount of Bonds</u>	
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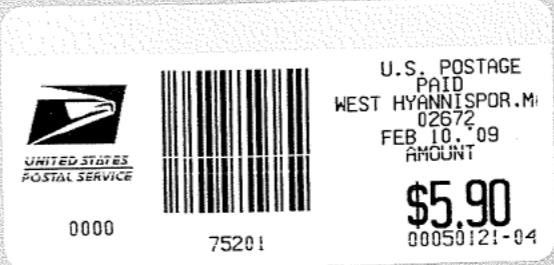
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In the Spring of 2006 we informed Madoff we wanted to start to cash out everything. After which the statements stopped, we then realized we have been taking.

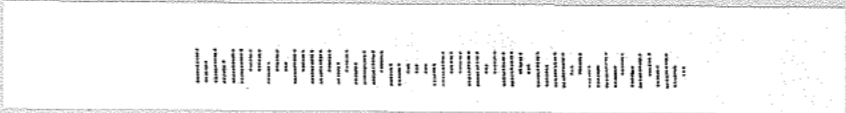
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We knew if we just waited things will come back on Madoff as they always do to people who brings harm to us or our families which now Madoff and his culprits have been exposed.

SUNBIRD
P.O. Box 397
West Hyannisport
MA 02672



IRVING H. PICARD, ESQ.,
TRUSTEE FOR BERNARD L. MADOFF
INVESTMENTS SECURITIES LLC
CLAIMS PROCESSING CENTER
2100 MCKINNEY AVE SUITE 800
DALLAS, TX 75201



CUSTOMER CLAIM

Bernard L. Madoff Investment Securities LLC
Case No 08-01789-BRL
U.S. Bankruptcy Court for the Southern District of New York
Claim Number: 003367

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

RECEIVED

In Liquidation

FEB 23 2009

DECEMBER 11, 2008

PLACE MAILING LABEL HERE

MARTIN M. SURABIAN
ALICE V. SURABIAN
IN TRUST FOR
KARAN TALIN SURABIAN
GREGORY SURABIAN
ERIK M. SURABIAN
KRISTEN E. SURABIAN
STEPHANIE LAFLASH-SURABIAN
P.O. Box 397
West Hyannisport MA. 02672

Provide your office and home telephone no.

OFFICE:

HOME:

Taxpayer I.D. Number (Social Security No.)

(If incorrect, please change)

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- *****
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d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>YES</u>	<u> </u>
b. I owe the Broker securities	<u> </u>	<u>NO</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
_____	<u>SEE ATTACHED 2 pg. SHEET</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>No</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>No</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>No</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>No</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>No</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>No</u>

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.

No

Please list the full name and address of anyone assisting you in the preparation of this claim form: STEVEN SURABIAN
1230 R+28 South YARMOUTH MA. 02664

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THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date Feb. 19-2009 Signature Martin M. Surabian
Date _____ Signature _____

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

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Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Martin M. Surabian
 Alice V. Surabian
 In Trust For
 Karan Talin Surabian
 Gregory Surabian
 Eric M. Surabian
 Kristen E. Surabian
 Stephanie LaFlash-Surabian

Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
10/93	Apple Inc	1,000	
06/93	Amgen Inc	1,000	
10/92	Agco Corp	1,800	
03/92	Apache Corp	750	
06/92	Best Buy	2,500	
04/92	BJ Services Corp	2,500	
08/92	Brown & Brown	5,000	
10/93	Dell	10,000	
05/92	EMC Corp	8,000	
03/92	Hess Corp	500	
08/92	Honda Motor Co Ltd	500	
09/93	International Business Machine	500	
08/93	Johnson & Johnson	1,000	
09/92	K B Homes	500	
08/93	Lowes Co Inc	500	
10/92	Mo Hawk Industries	600	


Martin M. Surabian
 Alice V. Surabian
 In Trust For
 Karan Talin Surabian
 Gregory Surabian
 Eric M. Surabian
 Kristen E. Surabian
 Stephanie LaFlash-Surabian



Number of Shares or
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The broker Owes Me (Long)	I Owe the Broker (Short)
08/92	Men's Wearhouse Inc	750	
12/93	Nike Inc	750	
02/93	Pfizer Inc	1,000	
01/94	Star Bucks	3,000	
04/93	Sunoco Inc	500	
10/92	Symantec Corp	5,000	
01/94	Molson Coors Brewing	750	
06/92	Walgreen Co	1,000	
04/92	Exxon	250	

Martin M. Surabian
Alice V. Surabian
In Trust For
Karan Talin Surabian
Gregory Surabian
Eric M. Surabian
Kristen E. Surabian
Stephanie LaFlash-Surabian



This account was opened in the spring of 1992 after opening several family accounts a year earlier. My grandchildren whom this account is in trust for don't know they have this account. Now I am afraid to tell them as they'll think I was a fool for putting all their inheritance in this one account. They'll be so disappointed in me if I can't recover the value.

Martin M. Surabian



Thursday, February 19, 2009

Martin M. Surabian
Alice V. Surabian
In Trust For
Karan Talin Surabian
Gregory Surabian
Eric M. Surabian
Kristen E. Surabian
Stephanie LaFlash-Surabian



% of interest
2%

Martin M. Surabian
P.O. Box 397
West Hyannisport MA, 02672
Phone: 508-771-5011



Alice V. Surabian
Died July 2003

2%

Karan Talin Surabian
11604 Everglade CT.
North Potomac, MD 20878

16%

Gregory Surabian
11604 Everglade CT.
North Potomac, MD 20878

16%

Eric M. Surabian
526 White Plains Rd
Webster, NH 03303

16%

Kristen E. Surabian
526 White Plains Rd
Webster, NH 03303

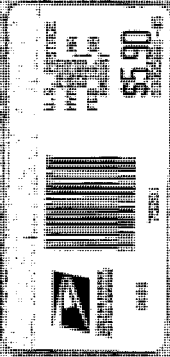
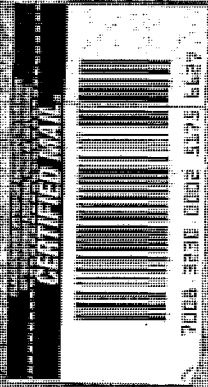
16%

Stephanie LaFlash-Surabian
Died October 13, 2008

32%

Martin M. Surabian

Sue AB/10/11
P.O. Box 397
St. Ann, Missouri
MO 63074



Irving H. Beard, 35913
Trustee For Brentwood L. Madoff
Investment Securities LLC
Claims Processing Center
2100 McKinney Ave Suite 800
Dallas, TX 75201

RETURN RECEIPT
REQUESTED



EXHIBIT B

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Stephanie LaFlash-Surabian and Steven Surabian
1230 Rt. 28
S. Yarmouth, MA 02664

Dear Stephanie LaFlash-Surabian and Steven Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 001802:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78lll (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the

¹ Section 78lll(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78lll(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Martin M. Surabian, Alice V. Surabian, Richard Surabian, Steven Surabian
P.O. Box 397
454 Craigville Beach Rd.
W. Hyannisport, MA 02672

Dear Martin M. Surabian, Alice V. Surabian, Richard Surabian, Steven Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 001895:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78lll (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

¹ Section 78lll(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78lll(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
S. Yarmouth, MA 02664

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Steven Surabian
1230 Rt. 28
S. Yarmouth, MA 02664

Dear Steven Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 001896:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78III (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching

¹ Section 78III(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78III(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Alice V. Surabian, Martin M. Surabian, Richard Surabian, Steven Surabian
P.O. Box 397
454 Craigsville Beach Rd.
W. Hyannisport, MA 02672

Dear Alice V. Surabian, Martin M. Surabian, Richard Surabian, Steven Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 001897:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78lll (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

¹ Section 78lll(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78lll(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
S. Yarmouth, MA 02664

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Richard Surabian
P.O. Box 397
454 Craigville Beach Rd.
W. Hyannisport, MA 02672

Dear Richard Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 001949:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78iii (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the

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grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
S. Yarmouth, MA 02664

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Erik M. Surabian and Richard Surabian
526 White Plains Rd.
Webster, NH 03303

Dear Erik M. Surabian and Richard Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 002185:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78III (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching

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copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
S. Yarmouth, MA 02664

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Kristen E. Surabian and Richard Surabian
526 White Plains Rd.
Webster, NH 03303

Dear Kristen E. Surabian and Richard Surabian:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 002186:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78lll (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

¹ Section 78lll(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78lll(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
S. Yarmouth, MA 02664

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

MARTIN M. SURABIAN & ALICE V. SURABIAN IN TRUST FOR KARAN TALIN
SURABIAN, GREGORY SURABIAN, ERIK M. SURABIAN, KRISTEN E. SURABIAN &
STEPHANIE LAFLASH-SURABIAN
P.O. BOX 397
WEST HYANNISPORT, MA 02672

Dear MARTIN M. SURABIAN & ALICE V. SURABIAN IN TRUST FOR KARAN TALIN
SURABIAN, GREGORY SURABIAN, ERIK M. SURABIAN, KRISTEN E. SURABIAN AND
STEPHANIE LAFLASH-SURABIAN:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 003367:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78lll (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

¹ Section 78lll(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78lll(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

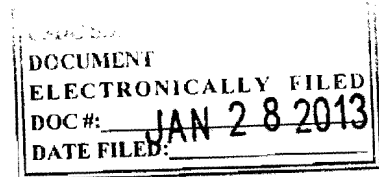
and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

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

cc: Steven Surabian
1230 Rt 28
South Yarmouth, MA 002664

EXHIBIT C



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
SECURITIES INVESTOR PROTECTION
CORPORATION, :

Plaintiff, :

v. :

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC, :

Defendant. :

----- X
In re: BERNARD L. MADOFF, :

Debtor. :

----- X
KATHERINE B. FORREST, District Judge:

Pro se appellants Martin M. Surabian, Richard Surabian, and Steven Surabian filed the above-captioned bankruptcy appeal on October 26, 2012. (ECF No. 1.) They seek relief from an August 22, 2012, Order of the Bankruptcy Court for the Southern District of New York (“August 22 Order”) approving a second interim distribution to the customers of Bernard L. Madoff Investment Securities, LLC (“BLMIS”).¹

The Surabians claim that they held eight investment accounts with Madoff’s now-infamous Ponzi scheme. (Surabian decl. ¶ 2, ECF No. 11.) The Trustee of the BLMIS bankruptcy estate, Irving Picard, claims that the Subrabians’ accounts do

¹ Order, Securities Investor Protection Corp. v. Bernard L. Madoff Investment Securities LLC, Adv. Pro. No. 08-01789 (Bankr. S.D.N.Y. Aug. 22, 2012)(BRL), ECF No. 4997.

not appear in any BLMIS records. (Trustee's Mem. of L. at 3-4, ECF No. 7.) The instant appeal—noticed before the Bankruptcy Court on September 19, 2012—seeks relief from that Court's August 22 Order that expunged the Surabians, among others, from the list of claimants who received distributions.

The Trustee has filed a motion to dismiss the appeal on the grounds that the appeal was untimely and, in the alternative, that appellants lack standing. (ECF No. 6.) This Court agrees that the Appeal is untimely; it therefore dismisses the appeal for lack of jurisdiction.

The Federal Rules of Bankruptcy Procedure require that a notice of appeal “be filed with the clerk within 14 days of the date of the entry of the judgment, order, or decree appealed from.” Fed. R. Bankr. P. 8002(a); see Swiatkowski v. Citimortgage Inc., 478 F. App'x 704 (2d Cir. 2012). “The 14-day time limit prescribed by Rule 8002(a) . . . ‘is jurisdictional, and . . . in the absence of a timely notice of appeal in the district court, the district court is without jurisdiction to consider the appeal, regardless of whether the appellant can demonstrate excusable neglect.” Swiatkowski, 478 F. App'x at 704 (quoting Siemon v. Emigrant Savings Bank, 421 F.3d 167, 169 (2d Cir.2005) (per curiam)). The Bankruptcy Court may extend the deadline to appeal only (1) where the motion for an extension is filed “not later than 21 days after the expiration of the time for filing a notice of appeal” and (2) appellant makes a showing of “excusable neglect.” Fed. R. Bankr. P. 8002(c)(2).

Appellants' appeal is untimely; they neither met the 14 day deadline to file a timely notice of appeal, nor did they move for an extension within the 21 days

following that deadline. September 5, 2012, was the deadline for a timely notice of appeal, 14 days after the August 22 Order. The Bankruptcy Court received appellants' notice of appeal on September 19, two weeks after the deadline. (Notice of Appeal, ECF No. 1.)

While appellants filed their notice of appeal within the 21-day period in which they were allowed to move for an extension of the appeal deadline, they did not make such a motion. (Id.) Nor is this Court permitted to construe the notice of appeal as having made such a motion. See Sellitti v. R.H. Macy & Co. (In re R.H. Macy & Co.), 173 B.R. 301 (Bankr. S.D.N.Y. 1994) (“[The] Court may . . . no longer deem a late-filed notice of appeal to be an application for an extension of time to file that notice of appeal.”) Appellants' appeal is thus untimely.

Appellants' arguments in opposition to the instant motion do not change this determination. They claim they did not receive notice of the Trustee's Motion to Expunge them from the list of claimants until December 22, 2012, four months after the Bankruptcy Court's August 22 Order.² (Surabian Decl. ¶¶ 7-8, ECF No. 11.) They argue that the late notice and their pending Bankruptcy Court motion—filed in December 2012—that objects to the Trustee's expungement motion should toll the time to appeal. (Id. ¶ 7.)

These are not valid excuses. Appellants—even those proceeding pro se—are charged with reviewing the docket and understanding the Federal Rules of Bankruptcy Procedure. See U.S. v. Enron Corp. (In re Enron Corp.), 364 B.R. 482,

² The Court notes that, despite appellants' professed lack of knowledge of their expungement until December, they nevertheless filed a notice of appeal on September 19, 2012. (ECF No. 1.)

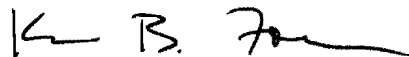
487 (Bankr. S.D.N.Y. 2007)(declining to “countenance such blame-shifting by litigants”); Chaturvedi v. O'Connell, 335 F. App'x 145, 146 (2d Cir. 2009)(holding that pro se litigants are not excused from the jurisdictional nature of Rule 8002).

In light of the above determinations, the Court finds it lacks jurisdiction to hear this appeal; the Trustee's motion to dismiss is GRANTED. Without jurisdiction to consider the appeal, the Court will not address the issue of standing or the additional arguments briefed by the parties.

The Clerk of Court is directed to close the motion at ECF No. 6 and to terminate this action.

SO ORDERED:

Dated: New York, New York
January 25 2013



KATHERINE B. FORREST
United States District Judge

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EXHIBIT D

On March 16, 2012, I served the:

- **Trustee's Third Omnibus Motion to Expunge Claims and Objections**

by emailing the interested parties true and correct copies via electronic transmission to the email addresses designated for delivery and/or by placing true and correct copies thereof in sealed packages designated for regular U.S. Mail to those parties as set forth on the attached Schedule A.

TO: *See Attached Schedule A*

/s/Oleg Bitman

OLEG BITMAN

Sworn to before me this
16th day of March, 2012

/s/Magali Lespinasse Lee

Notary Public

Magali Lespinasse Lee
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Qualified in New York County
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300206606

EXHIBIT E

Powers, Tassie

From: Elliott, Chris
Sent: Wednesday, April 18, 2012 1:31 PM
To: Tolleson, Chad
Subject: FW: Steven Surabian

From: Bitman, Oleg
Sent: Tuesday, April 17, 2012 6:16 PM
To: Rose, Jorian L.
Subject: FW: Steven Surabian

Hi Jorian,

The transcription of my telephone call to Steven Surabian at 6:10 PM on April 17th, 2012:

“Good afternoon Mr. Surabian,

My name is Oleg Bitman, I am a paralegal calling from Baker & Hostetler LLP. I am calling to advise you that as per the Court’s request, the Hearing on the Omnibus Claims Objections has been adjourned from tomorrow, Wednesday April 18th at 10:00 to Thursday, April 19th at 10:00 before the Honorable Burton R. Lifland.”

Mr. Surabian thanked me for the notice and noted that he will most likely not be able to attend the hearing.


Jorian, please let me know if I could be of any further assistance.

Thank you,
Oleg

From: Rose, Jorian L.
Sent: Tuesday, April 17, 2012 6:00 PM
To: Bitman, Oleg
Subject:

Steven Surabian

508 688 4613

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