

WINDELS  
MARX

Windels  
Marx  
Lane &  
Mittendorf, LLP

[windelsmarx.com](http://windelsmarx.com)

Howard L. Simon  
212.237.1094  
[hsimon@windelsmarx.com](mailto:hsimon@windelsmarx.com)

156 West 56<sup>th</sup> Street | New York, NY 10019  
T. 212.237.1000 | F. 212.262.1215

October 2, 2014

**VIA E-MAIL**

The Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
One Bowling Green  
New York, New York 10004

Re: Adv. Pro. No. 12-1677 (SMB); Adv. Pro. No. 11-2925 (SMB); Adv. Pro. No. 12-1025 (SMB); Adv. Pro. No. 12-1273 (SMB); Adv. Pro. No. 12-1278 (SMB); Adv. Pro. No. 12-1676 (SMB); Adv. Pro. No. 12-1698 (SMB); Adv. Pro. No. 11-2731 (SMB); Adv. Pro. No. 12-1699 (SMB)

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Dear Judge Bernstein:

Windels Marx Lane & Mittendorf, LLP ("Windels Marx") acts as special counsel to Irving Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq., and the substantively consolidated estate of Bernard L. Madoff, and is counsel of record for the Trustee in the above-referenced adversary proceedings. Windels Marx hereby joins in its entirety the attached letter submitted jointly today by Baker Hostetler and Robinson B. Lacy, Esq. in the consolidated BLMIS main docket (Adv. Pro. No. 08-01789) [Dkt. No. 8060].

Respectfully,



Howard L. Simon

Cc: Robinson B. Lacy, Esq.  
Sullivan & Cromwell LLP

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Franklin B. Velie, Esq.  
Sullivan & Worcester LLP

Marco E. Schnabl, Esq.  
Skadden, Arps, Slate, Meagher & Flom LLP

Regina L. Griffin, Esq.  
Baker & Hostetler LLP

Matthew B. Lunn, Esq.  
Young Conaway Stargatt & Taylor LLP

**Baker&Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111

T 212.589.4200  
F 212.589.4201  
www.bakerlaw.com

Regina L. Griffin  
direct dial: 212.589.4276  
rgriffin@bakerlaw.com

October 2, 2014

**VIA E-MAIL**

The Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
One Bowling Green  
New York, New York 10004

Re: *No. 08-1789 (SMB), Trustee's Omnibus Motion for Leave to Replead and Defendants'  
Request for Further Proceedings on Extraterritoriality Motion*

Dear Judge Bernstein:

We represent Irving Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act ("SIPA"), 15 U.S.C. § 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff ("Madoff"). We submit this letter to the Court jointly with Robinson B. Lacy, Esq., one of the coordinating defense counsel with respect to the extraterritoriality issue ("Extraterritoriality Issue").

At the conference before the Court on September 17, 2014, the parties discussed potential parameters for efficiently proceeding with respect to the Trustee's Omnibus Motion for Leave to Replead and for Limited Discovery ("Trustee's Motion") and the defendants' request for further proceedings with respect to the Extraterritoriality Issue. Since the conference, the parties have been working together to prepare a mutually acceptable agreed order that will set forth a proposed process and briefing schedule. The parties anticipate submitting a proposed order for the Court's consideration in short order.

Pending the Court's approval of the proposed order, as discussed with the Court at the September 17<sup>th</sup> conference, this letter is being placed on the docket to confirm that the Trustee's Motion, including the time to file papers in opposition to the Trustee's Motion, is adjourned *sine die*.

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Very truly yours,

/s/ Regina Griffin

Regina L. Griffin  
Partner

cc: Robinson B. Lacy, Esq.  
Sullivan & Cromwell LLP

Franklin B. Velie, Esq.  
Sullivan & Worcester LLP

Marco E. Schnabl, Esq.  
Skadden, Arps, Slate, Meagher & Flom LLP

Howard L. Simon, Esq.  
Windels Marx Lane & Mittendorf LLP

Matthew B. Lunn, Esq.  
Young Conaway Stargatt & Taylor LLP