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Hearing Date: October 2, 2014  
Hearing Time: 10:30 a.m. (EST)

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

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

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

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

Plaintiff,

v.

J. EZRA MERKIN, GABRIEL CAPITAL, L.P.,  
ARIEL FUND LTD., ASCOT PARTNERS, L.P.,  
ASCOT FUND LTD., GABRIEL CAPITAL  
CORPORATION,

Defendants.

Adv. Pro. No. 09-01182 (SMB)

**NOTICE OF HEARING ON TRUSTEE'S MOTION TO DIRECT ENTRY OF FINAL  
JUDGMENT UNDER FEDERAL RULE OF CIVIL PROCEDURE 54(b) AND TO  
CERTIFY JUDGMENT FOR IMMEDIATE APPEAL UNDER 28 U.S.C. § 158(d)**

**PLEASE TAKE NOTICE**, that on **October 2, 2014 at 10:30 a.m.**, a hearing (the  
“Hearing”) will be held on the Trustee's Motion to Direct Entry of Final Judgment Under Federal  
Rule of Civil Procedure 54(b) and to Certify Judgment for Immediate Appeal Under 28 U.S.C. §

158(d) (the “Motion”), that was previously scheduled for October 22, 2014 at 10:00 a.m. and adjourned *sine die* in the above-captioned adversary proceeding.

**PLEASE TAKE FURTHER NOTICE** that the above-referenced hearing will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, the Alexander Hamilton Customs House, One Bowling Green, Courtroom 723, New York, New York 10004.

Dated: New York, New York  
September 22, 2014

Respectfully submitted,

/s/ David J. Sheehan

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