

BakerHostetler

Baker&Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111

T 212.589.4200
F 212.589.4201
www.bakerlaw.com

Jimmy Fokas
direct dial: 212.589.4272
jfokas@bakerlaw.com

May 14, 2015

VIA ECF

Honorable Stuart M. Bernstein
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004

Re: Picard v. Avellino, et al., Adv. Pro. No. 10-05421 (SMB)

Dear Judge Bernstein:

We represent Irving H. Picard, Trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff, in the above-referenced adversary proceeding.

We respectfully request permission to file a brief in opposition to Defendants' Motion to Dismiss Trustee's Amended Complaint filed on January 28, 2015 ("Defendants' Motion") in excess of the page limit specified in Your Honor's Chambers Rules and of no more than fifty (50) pages in length. This increase in the page limit is necessary to fully address each of the fourteen distinct arguments raised in Defendants' Motion, including the fact-intensive issue of actual knowledge as it relates to Defendants' ability to invoke the safe harbor contained in section 546(e) of the Bankruptcy Code. The current deadline to file this opposition brief is May 21, 2015.

Defendants have indicated to the Trustee that they do not object to this request. We appreciate Your Honor's attention to this matter.

Respectfully submitted,

/s/ Jimmy Fokas

Jimmy Fokas

cc: Gary A. Woodfield (via e-mail: gwoodfield@haileshaw.com)
Jonathan Etra (via e-mail: jetra@broadandcassel.com)

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC