

Exhibit 13

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

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

Plaintiff,

v.

FEDERICO CERETTI, et al.

Defendants.

11-CV-7134 (JSR)

**MEMORANDUM IN SUPPORT OF KINGATE MANAGEMENT LIMITED'S
MOTION TO WITHDRAW THE REFERENCE TO THE
UNITED STATES BANKRUPTCY COURT**

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Attorneys for Kingate Management Limited

Defendant Kingate Management Limited (“KML”) submits this memorandum in support of its motion pursuant to 28 U.S.C. § 157(d), Federal Rule of Bankruptcy Procedure 5011, and Local Bankruptcy Rule 5011-1 for the entry of an order directing the withdrawal of the reference of the above-captioned action (the “Adversary Proceeding”) to the United States Bankruptcy Court for the Southern District of New York.

KML joins in the papers submitted by other defendants in the Adversary Proceeding and contends that this Court should withdraw the reference of this case to the Bankruptcy Court for all named defendants.¹ For reasons of judicial efficiency, KML does not address any differences between the Complaint’s allegations concerning the KML and other defendants named in this Adversary Proceeding, but reserves the right to do so if such distinctions become pertinent for purposes of this or other motions.

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¹ KML reserves all rights and defenses it may have, including but not limited to challenge the jurisdiction of this Court and the Bankruptcy Court, to challenge the appropriateness of the forum, and to assert any applicable statute of limitations. KML does not waive its defense that this Court lacks personal jurisdiction over it by filing this Motion. KML reserves all rights to move to dismiss the Complaint filed in the Adversary Proceeding at an appropriate time.

For the foregoing reasons, Defendant Kingate Management Limited respectfully requests that the Court grant its motion to withdraw the reference of the Adversary Proceeding to the Bankruptcy Court and grant such other relief as may be just and proper.

Dated: November 8, 2011
New York, NY

Respectfully submitted,

CHAFFETZ LINDSEY LLP

By: /s/ Charles J. Scibetta

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