

Exhibit 16

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

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	12-mc-00115 (JSR) ECF Case Electronically Filed
In re: MADOFF SECURITIES	

**EXTRATERRITORIAL DEFENDANTS' NOTICE OF MOTION TO
DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Extraterritorial Defendants' Motion to Dismiss, dated July 13, 2012; the Declaration of Marco E. Schnabl dated July 13, 2012 and exhibits thereto; and all the papers filed and proceedings had herein, the Extraterritorial Defendants,¹ respectfully hereby move this Court before Hon. Jed S. Rakoff, at the United States Courthouse, 500 Pearl Street, New York, New York, for entry of an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing with prejudice the claims seeking recovery against such Extraterritorial Defendants.²

¹ As defined in the Memorandum of Law in Support of the Extraterritorial Defendants' Motion to Dismiss, dated July 13, 2012, filed contemporaneously herewith.

² The movants do not hereby submit to the personal jurisdiction of this Court, and make only those arguments permitted by the Court's order of limited withdrawal, which does not allow
(cont'd)

In accordance with the schedule set by the Court, moving papers from the Extraterritorial Defendants will be filed and served on or before July 13, 2012; opposition papers from Irving H. Picard, the trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Securities Investor Protection Corporation shall be filed and served on or before August 17, 2012; reply papers from the Extraterritorial Defendants shall be filed and served on or before August 31, 2012; and oral argument before the Court will be held on Friday, September 21, 2012 at 4:00 P.M.

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the movants to raise all arguments that they would expect to make or be required to raise at this procedural stage under Rule 12 of the Federal Rules of Civil Procedure. Accordingly, they make this motion without waiving any rights, arguments or defenses, including their right to contest personal jurisdiction.

WHEREFORE, the Extraterritorial Defendants respectfully request that the Court enter an order dismissing with prejudice the claims seeking recovery against the Extraterritorial Defendants, and such other and further relief as the Court deems just and proper.

Dated: New York, New York
July 13, 2012

Respectfully submitted,

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