

## Exhibit 16

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

-----:  
SECURITIES INVESTOR PROTECTION :  
CORPORATION, :

Plaintiff, :

v. :

BERNARD L. MADOFF INVESTMENT :  
SECURITIES LLC, :

Defendant. :

12-misc-00115 (JSR)

-----:  
In re: :  
MADOFF SECURITIES :

-----:  
PERTAINS TO THE CASES LISTED ON :  
EXHIBIT A: :

**JOINDER TO THE TRUSTEE’S MEMORANDUM OF LAW IN  
OPPOSITION TO DEFENDANTS’ MOTION TO DISMISS  
CONCERNING EXTRATERRITORIALITY**

Young Conaway Stargatt and Taylor, LLP (“Young Conaway”) is counsel to Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation proceeding (the “BLMIS Liquidation”) of Bernard L. Madoff Investment Securities, LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”), and the estates of Bernard L. Madoff (“Madoff,” and together with BLMIS, each a “Debtor” and collectively, the “Debtors”) in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”), and is counsel of record for the Trustee in the adversary proceedings identified on Exhibit A annexed hereto (collectively, the “YCST Adversaries”).

In each of the YCST Adversaries, certain defendants filed motions to withdraw the reference to the United States Bankruptcy Court for the Southern District of New York (the “Motions to Withdraw the Reference”).

By Order of this Court dated June 6, 2012 (the “Extraterritoriality Order”), the YCST Adversaries were consolidated with certain other adversary proceedings pending in the BLMIS Liquidation for the limited purpose of addressing the Extraterritoriality Issue (as defined in the Extraterritoriality Order).

In the above noted capacity, Young Conaway, on behalf of the Trustee, hereby joins, in its entirety, the *Trustee’s Memorandum of Law in Opposition to Defendants’ Motion to Dismiss Concerning Extraterritoriality as Ordered by the Court On June 6, 2012*, District Court Case No. 12 Misc. 00115 (JSR) [Docket No. 310] filed by Baker & Hostetler LLP on August 17, 2012 pursuant to the Extraterritoriality Order, and adopts as its own all arguments asserted therein.

Dated: August 17, 2012  
New York, New York

/s/ Matthew B. Lunn  
\_\_\_\_\_  
Matthew B. Lunn  
Justin P. Duda  
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Trustee for the  
Substantively Consolidated SIPA  
Liquidation of  
Bernard L. Madoff Investment  
Securities LLC  
and Bernard L. Madoff*



<b>Adversary Proceeding</b>	<b>Adversary Proceeding Number</b>	<b>District Court Number</b>
Picard v. Caceis Bank Luxembourg, <i>et al.</i>	11-02758	12-cv-02434
Picard v. Crédit Agricole (Suisse) S.A., <i>et al.</i>	12-01022	12-cv-02494

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

-----:  
SECURITIES INVESTOR PROTECTION  
CORPORATION, :

Plaintiff, :

v. :

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC, :

Defendant. :

12-misc-00115 (JSR)

-----:  
In re: :

MADOFF SECURITIES :

-----:  
PERTAINS TO THE FOLLOWING CASES: :

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

Plaintiff, :

v. :

CRÉDIT AGRICOLE (SUISSE) S.A., and  
CRÉDIT AGRICOLE S.A.,  
a/k/a BANQUE DU CRÉDIT AGRICOLE, :

Defendants. :

Case No. 12-cv-02494 (JSR)

Adv. Pro. No. 12-01022 (BRL)

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

Plaintiff, :

v. :

CACEIS BANK LUXEMBOURG and  
CACEIS BANK, :

Defendants. :

Case No. 11-cv-02434 (JSR)

Adv. Pro. No. 11-02758 (BRL)

**CERTIFICATE OF SERVICE**

I, Matthew B. Lunn, hereby certify that on August 17, 2012, I caused a true and correct copy of the *Joinder to the Trustee's Memorandum of Law in Opposition to Defendants' Motion to Dismiss Concerning Extraterritoriality* to be filed electronically with the Court and served upon the parties in this action who receive electronic service through CM/ECF, and served by electronic mail upon the parties as set forth in Schedule A.

Dated: New York, New York  
August 17, 2012

By: /s/ Matthew B. Lunn  
Matthew B. Lunn

**SCHEDULE A**

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***Crédit Agricole (Suisse) S.A., and Crédit Agricole S.A., A/K/A Banque Du Crédit Agricole***