

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona
Jorian L. Rose
Amy E. Vanderwal
Jason I. Blanchard

Hearing Date: May 30, 2018
Hearing Time: 10:00 a.m. (EST)
Objections Due: May 16, 2018
Objection Time: 4:00 p.m. (EST)

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the chapter 7 estate of Bernard L. Madoff*

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

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

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

SIPA LIQUIDATION

(Substantively Consolidated)

**NOTICE OF HEARING ON TRUSTEE'S SIXTEENTH OMNIBUS MOTION TO
DISALLOW CLAIMS AND OVERRULE OBJECTIONS OF CLAIMANTS
WHO HAVE NO NET EQUITY**

PLEASE TAKE NOTICE that on April 20, 2018, Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") and the chapter 7 estate of Bernard L. Madoff ("Madoff") (collectively, "Debtor") in the above-captioned SIPA liquidation proceeding, by and through his undersigned counsel, filed

the motion (the “Motion”) seeking to have the Court disallow any and all claims and overrule objections filed by or on behalf of customers that withdrew more money from BLMIS than they deposited and are thus, in the parlance of this case, net winners, or by customers that withdrew an equal amount to what was deposited or, in the parlance of this case, net zeros (collectively, the “Claimants”). The Motion will be heard before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **May 30, 2018 at 10:00 a.m.** (the “Hearing”), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004 by no later than **4:00 p.m., on May 16, 2018** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Baker & Hostetler, LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq. and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006, Attn: Kevin H. Bell, Esq. and Nathanael Kelley, Esq. so as to be received on or before **May 16, 2018** (the “Response Deadline”). Any objection must specifically state the interest that the objecting party has in these proceedings and the basis of the objection to the Motion.

PLEASE TAKE FURTHER NOTICE that if no responses are timely filed and served with respect to the Motion, the Trustee may, on or after the Response Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed hereto, which order may be entered without further notice or an opportunity to be heard.

PLEASE TAKE FURTHER NOTICE that you need not appear at the Hearing if you
do not object to the relief requested in the Motion.

Dated: New York, New York
April 20, 2018

Respectfully submitted,

/s/ David J. Sheehan

David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Jorian L. Rose
Email: jrose@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com
Jason I. Blanchard
Email: jblanchard@bakerlaw.com
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Tel: (212) 589-4200
Fax: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the chapter 7 estate of Bernard L. Madoff*

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

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING TRUSTEE'S SIXTEENTH OMNIBUS MOTION TO
DISALLOW CLAIMS AND OVERRULE OBJECTIONS OF CLAIMANTS
WHO HAVE NO NET EQUITY**

Upon consideration of the motion (the "Motion") [Docket No. ___], by Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") and the chapter 7 estate of Bernard L. Madoff ("Madoff") (collectively, "Debtor"), in the above-captioned SIPA liquidation proceeding seeking to have the Court disallow any and all claims and overrule objections filed by or on behalf of customers that withdrew more money from BLMIS than they deposited and are thus, in the parlance of this case, net winners, or by customers that withdrew an equal amount to what was deposited or, in the parlance of this case, net zeros (collectively, the "Claimants"); and the Claims¹ to be disallowed and Objections to be overruled are identified in Exhibit A to the Declaration of

¹ All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

Vineet Sehgal (the “Sehgal Declaration”), attached to the Motion as Exhibit A; and due and proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion as set forth herein is in the best interests of the Debtor, its estate, creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is granted to the extent provided herein; and it is further

ORDERED that the Claims listed on Exhibit A hereto under the heading “Claims and Objections”, are disallowed and the Trustee’s Claims determinations are affirmed; and it is further

ORDERED that the Objections listed on Exhibit A hereto under the heading “Claims and Objections”, are overruled; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: _____, 2018
New York, New York

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

IN RE: BLMIS. CASE NO: 08-01789 (SMB)

SIXTEENTH OMNIBUS MOTION: EXHIBIT A – CLAIMS AND OBJECTIONS

Objection Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Angela Tiletnick	009167 009591 100136 100153	2076	Becker & Poliakoff, LLP	Angela Tiletnick	1T0040
Corinne Colman	000936	2869	Pro Se Filing	Corinne Colman Income Trust	1C1259
Delores Van Lanen And The Delores Van Lanen Trust	001139	2246	Becker & Poliakoff, LLP	GST TST FBO Delores Van Lanen U/T/A/D 5/29/02	1V0018
Edward L. Simonds	002756	2495	Pro Se Filing	Edward L Simonds Trustee Edward L Simonds Living Trust	1S0347
Gregory And Diana Nero	010254	2045	Pro Se Filing	Gregory Nero Diana Nero JT WROS	1KW428
Harriet Rubin (Dunayer)	002072	2583	Pro Se Filing	Harriet Rubin Sole TTEE Or Her Successors In Trust, Under The	1R0181
Kenneth S. Fitzpatrick & Margaret Fitzpatrick J/T WROS	000943	2506	Pro Se Filing	Kenneth S Fitzpatrick & Margaret Fitzpatrick JT WROS	1F0120
Levy GST Trust DTD 3/14/02 FBO Francine Levy; Marjorie Forrest TSTEE	000698	1068	Pro Se Filing	Levy Gst Trust Dtd 3/14/02 FBO Francine Levy	1ZB450
Lori A. Sirotkin	006420	2523	Becker & Poliakoff, LLP	Lori A Sirotkin	1S0545
Marjorie K. Osterman	009936	2175	Sterling Equities	Marjorie K Osterman	1KW049
Nina Westphal	000945	2978	Becker & Poliakoff, LLP	Millennium Trust Company, LLC FBO Nina Westphal (31038)	1W0107
NTC & CO FBO Irving I. Schupak	003337	1088	Pro Se Filing	NTC & CO FBO Irving I Schupak (098438)	1ZR328
NTC & CO FBO Nathan Schupak (098441)	002510	1042	Pro Se Filing	Millennium Trust Company, LLC FBO Nathan Schupak (098441)	1ZR327
Roy Van Lanen And The Roy Van Lanen Trust	001408	2247	Becker & Poliakoff, LLP	GST Separate Trust FBO Roy Van Lanen U/T/A/D 5/29/02	1V0017
Samuel Salmanson Marital Trust	000782	1004	Pro Se Filing	S Salmanson GST Non Exempt TST Hilda Salmanson, James A	1S0506

Claim Number	Objection To Determination Docket Number	Objection Party	Account Name	Account Number	Counsel	Date of Objection
003337	1088	NTC & CO FBO Irving I. Schupak	NTC & CO FBO Irving I Schupak (098438)	1ZR328	Pro Se Filing	12/16/2009