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Statement from the office of Irving H. Picard, SIPA Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC (BLMIS)

Attributable to Amanda Remus, spokeswoman for the SIPA Trustee & his Counsel at BakerHostetler:

Today's decision by the Second Circuit reaffirms the decision by the late Honorable Burton R. Lifland that claimants in the SIPA liquidation of BLMIS are not entitled to time-based damages. This decision represents an important milestone in the liquidation proceeding.

First, it resolves the question regarding whether customers are entitled to some form of interest on the dollars deposited with BLMIS that were never invested, but instead were stolen to give to other customers.

Second, and most important, this decision clears the way for the SIPA Trustee to distribute more than \$1 billion dollars to customers with allowed claims. The only obstacle that could stand in the way of this additional distribution is the potential for a petition for certiorari by the defendants on this decision. The SIPA Trustee is hopeful that further delay will be viewed as pointless and that no petition will be filed. Regardless, he will immediately file an application to the Bankruptcy Court seeking approval of an allocation authorizing him to distribute, as soon as possible, the funds that have been held in reserve awaiting today's time-based damages decision.

The team in support of this effort by the SIPA Trustee consisted of David Sheehan, Seanna Brown, Jorian Rose and Amy Vanderwal, as well as attorneys at SIPC, Josephine Wang and Kevin Bell.