

BakerHostetler

Baker&Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111

T 212.589.4200
F 212.589.4201
www.bakerlaw.com

Michelle R. Usitalo
direct dial: 212.847.2849
musitalo@bakerlaw.com

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Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Room 723
New York, NY 10004-1408

Re: Irving H. Picard as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC v. HSBC Bank PLC, et al., Adv. Pro. No. 09-01364 (SMB)

Dear Judge Bernstein:

We write on behalf of the Trustee in connection with the Motion for a Letter of Request seeking the production of documents from UniCredit Bank Austria AG (“Bank Austria”) (ECF No. 652.)

The parties met and conferred about a possible resolution with Bank Austria that would obviate the need for the Motion.

Accordingly, the Trustee respectfully requests that the Motion be removed from the Court’s calendar to allow the parties to continue these discussions. Depending upon the results of these discussions, the Trustee will either request that the Motion be withdrawn or restored to the calendar.

We appreciate Your Honor’s attention to this matter.

Respectfully submitted,

/s/ Michelle R. Usitalo

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