

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

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| SECURITIES INVESTOR PROTECTION<br>CORPORATION,<br><br>Plaintiff-Applicant,<br><br>v.<br><br>BERNARD L. MADOFF INVESTMENT<br>SECURITIES LLC,<br><br>Defendant.  | Adv. Pro. No. 08-01789 (CGM)<br><br>SIPA Liquidation<br><br>(Substantively Consolidated) |
| In re:<br><br>BERNARD L. MADOFF,<br><br>Debtor.  |  |
| IRVING H. PICARD, Trustee for the<br>Liquidation of Bernard L. Madoff Investment<br>Securities LLC,<br><br>Plaintiff,<br><br>v.<br><br>FALCON PRIVATE BANK LTD. (f/k/a AIG<br>Privat Bank AG),<br><br>Defendant. | Adv. Pro. No. 11-02923 (CGM)   |

**STIPULATION AND ORDER TO ADJOURN ARGUMENT DATE**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701-784, and defendant Falcon Private Bank LTD. (f/k/a AIG Privat Bank AG) (“Defendant,” and together with the Trustee, the “Parties”), by and through their respective undersigned counsel, stipulate and agree as follows:

**WHEREAS**, on August 15, 2022, Defendant filed a motion to dismiss the Trustee's complaint (the "Motion") which lists December 14, 2022 as the hearing date, ECF No. 118.

**WHEREAS**, the Trustee timely filed an Opposition to Defendant's Motion on October 14, 2022, ECF No. 122.

**WHEREAS**, the Parties have agreed to request that the hearing on the Motion be adjourned from December 14, 2022 to January 18, 2023, at 10:00 a.m.

**WHEREAS**, except as expressly set forth herein, the Parties reserve all rights, arguments, claims, objections and/or defenses that they may have and entry into this stipulation shall not impair or otherwise affect any such rights, arguments, claims, objections and/or defenses, including, without limitation, challenges to personal jurisdiction or the jurisdiction of this Court.

**IT IS HEREBY STIPULATED AND AGREED**, by the Parties, and **SO ORDERED**, by the Court that the hearing on Defendant's Motion be adjourned from December 14, 2022 to January 18, 2023 at 10:00 a.m.

*[Signatures on following page]*

Dated: New York, New York  
December 7, 2022

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Madoff Investment Securities LLC and the  
Chapter 7 Estate of Bernard L. Madoff*

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*Attorneys for Defendant Falcon Private Bank  
Ltd.*

**Dated: December 9, 2022  
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**