

WINDELS MARX LANE & MITTENDORF, LLP

156 West 56th Street
New York, New York 10019
Tel: (212) 237-1000
Fax: (212) 262-1215

*Special Counsel 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.

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,

Plaintiff,

v.

BANQUE INTERNATIONALE À LUXEMBOURG S.A.
(f/k/a Dexia Banque Internationale à Luxembourg S.A.);
CACEIS BANK S.A. (d/b/a CACEIS Bank, Luxembourg
Branch), as successor in interest to RBC Dexia Investor
Services Bank S.A.; RBC INVESTOR SERVICES
TRUST (f/k/a RBC Dexia Investor Services Trust);
BANCO INVERDIS, S.A., as successor in interest to RBC
Dexia Investor Services España S.A.; and BANQUE
INTERNATIONALE À LUXEMBOURG (SUISSE) S.A.
(f/k/a Dexia Private Bank (Switzerland) Ltd.),

Defendants.

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

SIPA Liquidation
(Substantively Consolidated)

Adv. Pro. No. 12-01698 (LGB)

**DECLARATION OF ANTONIO J.
CASAS IN SUPPORT OF TRUSTEE'S
MOTION TO COMPEL
PRODUCTION OF DOCUMENTS
AND COMPLETE ANSWERS TO
INTERROGATORIES WITHIN 30
DAYS**

I, Antonio J. Casas, pursuant to 28 U.S.C. § 1746, declare that the following is true:

1. I am a partner with the law firm of Windels Marx Lane & Mittendorf LLP, special counsel to Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III, and the estate of Bernard L. Madoff.

2. As an attorney of record in this adversary proceeding, I am fully familiar with the facts set forth herein based upon my own personal knowledge or information conveyed to me that I believe to be true. I submit this Declaration in support of the Trustee’s motion to (i) compel defendants Banque Internationale à Luxembourg S.A. (*f/k/a* Dexia Banque Internationale à Luxembourg S.A.) and Banque Internationale à Luxembourg (Suisse) S.A. (*f/k/a* Dexia Private Bank (Switzerland) Ltd.) (together, the “BIL Defendants”) to, within 30 days of the Court’s order approving the Motion, (a) produce all responsive documents and provide complete interrogatory answers, (b) provide signed verifications of their interrogatory answers, and (c) provide a privilege log, and (ii) award the Trustee his reasonable expenses, including attorney’s fees, filed in the above-captioned adversary proceeding (the “Motion”).

3. The accompanying memorandum of law in support of the Motion, at pp. 6-8, contains a true and accurate summary of the Parties’ interactions that led up to the July 22, 2025 discovery conference in this action (the “Conference”) at which the Court, among other things, authorized the Trustee to file a motion to compel if necessary.

4. Two letters cited in that summary are attached as exhibits to this declaration:

- a. Attached hereto as Exhibit A is a true and correct copy of the Trustee’s December 20, 2024 letter to the BIL Defendants in this action.

- b. Attached hereto as Exhibit B is a true and correct copy of the Trustee's February 27, 2025 letter to the BIL Defendants in this action.

The Trustee will submit copies of other documents supporting the statements in the summary if necessitated by the BIL Defendants' response to the Motion or upon the Court's request.

5. With regard to the Conference, and the Parties' interactions since the Conference, the following documents are attached:

- a. Attached hereto as Exhibit C is a true and correct copy of the Trustee's July 9, 2025 letter to the Court requesting the Conference (ECF No. 202).
- b. Attached hereto as Exhibit D is a true and correct copy of the BIL Defendants' July 18, 2025 letter to the Court in response (ECF No. 205).
- c. Attached hereto as Exhibit E is a true and correct copy of the transcript of the Conference (ECF No. 206).
- d. Attached hereto as Exhibit F is a true and correct copy of the BIL Defendants' August 19, 2025 letter to the Trustee in this action.
- e. Attached hereto as Exhibit G is a true and correct copy of the Trustee's September 8, 2025 letter to the BIL Defendants in this action.
- f. Attached hereto as Exhibit H is a true and correct copy of the BIL Defendants' September 15, 2025 letter to the Trustee in this action.
- g. Attached hereto as Exhibit I is a true and correct copy of the Trustee's October 27, 2025 letter to the BIL Defendants in this action.
- h. Attached hereto as Exhibit J is a true and correct copy of the BIL Defendants' December 3, 2025 letter to the Trustee in this action.

i. Attached hereto as Exhibit K is a true and correct copy of the Trustee's December 4, 2025 email to the BIL Defendants in this action.

6. As evidenced by the Parties' interactions, the attorneys for the Trustee have conferred, or attempted to confer, with the attorneys for the BIL Defendants in a good-faith effort to resolve by agreement the issues raised by the Motion without the intervention of the Court and have been unable to reach an agreement.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Dated: New York, New York
January 23, 2026

/s/ Antonio J. Casas
Antonio J. Casas