

**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
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

NAIDOT & CO. and BESSEMER TRUST
COMPANY,

Defendants.

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

SIPA Liquidation
(Substantively Consolidated)

Adv. Pro. No. 11-02733 (LGB)

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL OF ADVERSARY PROCEEDING**

Plaintiff Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff, and defendants Naidot & Co. and Bessemer Trust Company (“Defendants” and, together with the Trustee, the “Parties,” and each individually, a “Party”), by and through their respective undersigned counsel, hereby stipulate and agree to the following:

1. On September 22, 2011, the Trustee commenced the above-captioned adversary proceeding in the United States Bankruptcy Court for the Southern District of New York by filing a complaint against Naidot & Co. (ECF No. 1).

2. On August 5, 2022, the Trustee filed an amended complaint adding Bessemer Trust Company as a defendant and dismissing an alleged subsequent transfer dated February 14, 2003 (ECF No. 100).

3. On June 12, 2023, Defendants filed an answer and affirmative defenses (ECF No. 126).

4. In accordance with Federal Rule of Bankruptcy Procedure 7041, and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice and without costs to any Party.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties in interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: August 6, 2026

**WINDELS MARX LANE &
MITTENDORF, LLP**

By: /s/ Howard L. Simon
156 West 56th Street
New York, New York 10019
Telephone: (212) 237-1000
Facsimile: (212) 262-1215
Howard L. Simon
Email: hsimon@windelsmarx.com
Kim M. Longo
Email: klongo@windelsmarx.com
John J. Tepedino
Email: jtepedino@windelsmarx.com

*Special Counsel for Irving H. Picard,
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and for the
Chapter 7 Estate of Bernard L. Madoff*

BALLARD SPAHR LLP

By: /s/ James V. Masella, III
1675 Broadway, Floor 19
New York, New York 10019
Telephone: (212) 223-0200
Facsimile: (212) 223-1942
James V. Masella, III
Email: masellaj@ballardspahr.com
Bradley Gershel
Email: gershelb@ballardspahr.com
Kelly Lin
Email: link@ballardspahr.com

1735 Market Street, 51st Floor
Philadelphia, PA 19103
Brittany M. Wilson (admitted *pro hac vice*)
Email: wilsonbm@ballardspahr.com

*Attorneys for Defendants Naidot & Co. and
Bessemer Trust Company*

SO ORDERED.

**Dated: August 7, 2026
New York, New York**

/s/ Lisa G. Beckerman
**Honorable Lisa G. Beckerman
United States Bankruptcy Judge**