

EXHIBIT 5

VIA EXPRESS MAIL NEXT DAY DELIVERY

January 11, 2010

Clerk of the United States Bankruptcy Court
for the Southern District of New York
One Bowling Green
New York, NY 10004

Irving H. Picard, Trustee
c/o Baker Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111

**Re: BENARD L. MADOFF INVESTMENT SECURITIES LLC In Liquidation
Bankruptcy Case No. 08-1789 (BRL)
RESPONSE TO NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM**

This is a response to the NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM (the "Notice") dated December 17, 2009 for account No. 1S4040 claim number 4543.

I am addressing my opposition to the position of the Trustee as provided in the Notice.

I. Claim for Securities

I oppose the position taken by the Trustee with respect to the return of securities and the calculation of the value of my account. As the attached statement shows, the account contained securities. I relied upon these statements as being accurate and truthful. I was in no position to know otherwise. The Trustee's position is contrary to SIPA, contradicts 39 years of PIPC's prior positions, and is unsupported by any legal precedent. The Senate and House reports anticipated the current situation where I should be able to rely on my broker statement to be accurate.

"Under present law, because securities belonging to customers may have been lost, improperly hypothecated, misappropriated, never purchased or even stolen, it is not always possible to provide to customers that which they expect to receive, that is, securities which they maintained in their brokerage account. ... By seeking to make customer accounts whole and returning them to customers in the form they existed on the filing date, the amendments ... would satisfy the customers' legitimate expectations..." S. Rep. No. 95-763, at 2 (1978).

"A customer generally expects to receive what he believes is in his account at the time the stockbroker ceases business. But because securities may have been lost, improperly hypothecated, misappropriated,

never purchased, or even stolen, this is not always possible. Accordingly, [when this is not possible, customers] will receive cash based on the market value as of the filing date." H.R. Rep. No. 95-746, at 21.

Thus, based on these obligations and the fact that my account listed securities, I believe I should be returned those securities to me to the value of \$500,000.

II. Calculation of Money In/Money Out

Even if I were to agree to the Trustees position on securities, I oppose the calculation of the money in/money out position of the Trustee. I recreated the table below with the final column indicating what I received as from the account. You will note that the entries for dates 2/9/2006, 5/5/2006, 6/20/2006, and 12/6/2007 totaling \$354,708.76 do not represent any funds received by me. As I never received these funds, they should not be deducted from any calculation of recovery.

Thus, based on the fact that I did not receive these funds and therefore removal of these entries, I should receive \$258,573.09.

DATE	Transaction Description	Amount	Adjusted Amount	Oppose this Entry	Actual Payments
2/3/2000	Trans From 50 Acct	\$1,607,388.26	\$408,897.38		\$408,897.38
Total Deposits		\$1,607,388.26	\$408,897.38		\$408,897.38
DATE	Transaction Description	Amount	Adjusted Amount	Oppose this Entry	Actual
2/9/2006	Trans to 1EM21330	(\$105,000.00)	(\$105,000.00)	Yes	\$0.00
5/5/2006	Trans to 1EM21330	(\$65,000.00)	(\$65,000.00)	Yes	\$0.00
6/20/2006	Trans to 1EM21330	(\$50,000.00)	(\$50,000.00)	Yes	\$0.00
12/6/2007	Trans to 1EM21330	(\$134,708.76)	(\$134,708.76)	Yes	\$0.00
4/17/2008	Check	(\$75,000.00)	(\$75,000.00)	No	(\$75,000.00)
6/18/2008	Check	(\$75,324.29)	(\$75,324.29)	No	(\$75,324.29)
Total Withdrawals		(\$505,033.05)	(\$505,033.05)		(\$150,324.29)
Total deposits less withdrawals		\$1,102,355.21	(\$96,135.67)		\$258,573.09

III. Extension of Deadline for Review

Finally, I oppose the deadline imposed by the Trustee for responding to the Notice. I have at least one additional account that is involved in the calculation of the amounts that are being deducted. As noted in the table, there appears to be transfers to another Madoff Investment Securities account. If those transfers are ultimately deducted here, then they should be credited in the other account as money in. As I have not received the determination on any other account, my ability to fully respond here is limited and impaired. I should be allowed to review the Trustees determination on all my accounts at the same time.

At a minimum, for fairness I request that the Trustee extend the period for my response until such time as I have receive a Notice of Trustee's Determination of Claim to all other accounts.

Thank you for attention on this matter.

Sincerely Submitted,



Renee Robinow Soskin

Renee Robinow Soskin (IRA)

Redacted

BERNARD L. MADOFF
 INVESTMENT SECURITIES LLC
 New York & London

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DATE	BOUGHT ACCT NO	SAID ACCT NO	NAME	DESCRIPTION	PRICE PER SHARE	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12				BALANCE FORWARD		229,293.00	
11/12	4,000		WELLS FARGO BANK	WELLS FARGO BANK	25.000	100,510.00	
11/12	2,430		WELLS FARGO BANK	WELLS FARGO BANK	36.600	89,064.00	
11/12	2,106		WAL-MART STORES INC	WAL-MART STORES INC	55.830	117,661.98	
11/12	1,377		INTERNATIONAL BUSINESS MACHS	INTERNATIONAL BUSINESS MACHS	87.270	120,122.57	
11/12	5,103		AMEREN CORP	AMEREN CORP	24.088	123,110.64	
11/12	5,889		AMEREN CORP	AMEREN CORP	14.860	87,319.39	
11/12	2,673		JOHNSON & JOHNSON	JOHNSON & JOHNSON	59.580	159,363.34	
11/12	3,645		J.P. MORGAN CHASE & CO	J.P. MORGAN CHASE & CO	38.530	140,586.85	
11/12	1,844		AMEREN CORP	AMEREN CORP	49.000	91,306.00	
11/12	1,834		MCDONALD CORP	MCDONALD CORP	38.370	70,234.58	
11/12	2,106		MERCK & CO	MERCK & CO	28.550	60,210.30	
11/12	7,695		MICROSOFT CORP	MICROSOFT CORP	21.810	168,134.95	
11/12	3,808		AMEREN CORP	AMEREN CORP	49.000	187,410.00	
11/12	1,539		AMEREN CORP	AMEREN CORP	56.410	86,878.99	
11/12	891		APPLE INC	APPLE INC	100.780	89,829.98	
11/12	6,561		PFIZER INC	PFIZER INC	16.940	111,405.34	
11/12	1,539		AMEREN CORP	AMEREN CORP	56.410	86,878.99	
11/12	2,916		AMGEN INC	AMGEN INC	66.080	186,973.28	
11/12	1,053		AMGEN INC	AMGEN INC	59.160	62,337.48	
11/12	2,025		PHILLIP MORRIS INTERNATIONAL	PHILLIP MORRIS INTERNATIONAL	43.600	88,371.00	
11/12	4,860		BANK OF AMERICA	BANK OF AMERICA	21.390	103,821.60	
11/12	1,620		QUANEDM INC	QUANEDM INC	33.170	54,171.40	
11/12	5,265		CITI GROUP INC	CITI GROUP INC	12.510	66,075.15	

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DATE	BUY/SELL	QUANTITY	PRICE	DESCRIPTION	MARKET PRICE	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	01	40559	17.800	NOVEMBER 450 PUT S E P 100 INDEX		146,261.00	127,899.00
11/19	01	36988	30	NOVEMBER 450 PUT S E P 100 INDEX		243,081.00	210,519.00
11/19	01	47638	37	NOVEMBER 450 PUT S E P 100 INDEX			299,619.00
				NEW BALANCE			459,007.00
				SECURITY POSITIONS:			
				S E P 100 INDEX	23.300		
				DECEMBER 420 CALL			
				S E P 100 INDEX	16.500		
				DECEMBER 420 PUT			
				MARKET VALUE OF SECURITIES:			
				LONG		133,650.00	
				SHORT		188,730.00	

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DATE	ACCOUNT	BOLD	TRAIL	DESCRIPTION	PRICE OR PERCENT	ACCOUNT DEBITED TO YOUR ACCOUNT	ACCOUNT CREDITED TO YOUR ACCOUNT
11/19		35,831	53037	FIDELITY SPARTAN	1		35,831.00
11/19	275,000		57563	U.S. TREASURY MONEY MARKET	10.926	274,796.50	
11/19	3,715		62075	FIDELITY SPARTAN	1	3,715.00	
11/19				U.S. TREASURY MONEY MARKET			
11/19				NEW BALANCE		455,606.51	
11/19				SECURITY ASSOCIATIONS			
11/19				APPLE INC.	28.560		
11/19				ABBOTT LABORATORIES	52.390		
11/19				AMGEN INC.	55.540		
11/19				APPLE INC.	32.670		
11/19				BANK OF AMERICA	16.250		
11/19				CHEVRON CORP	79.010		
11/19				CISCO SYSTEMS INC.	16.540		
11/19				CITICORP INC.	8.290		
11/19				COCA COLA CO	46.870		
11/19				CONCAST CORP	17.340		
11/19				CL A			
11/19				CONCEPTS	52.520		
11/19				EXXON MOBIL CORP	80.150		
11/19				GENERAL ELECTRIC CO	17.170		
11/19				CONTINUED ON PAGE 4			

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BUYER	SELLER	DESCRIPTION	PRICE OR QUANTITY	ACCOUNT DEBITED TO YOUR ACCOUNT	ACCOUNT CREDITED TO YOUR ACCOUNT
243		GOOGLE	292.960		
2,430		HEWLETT PACKARD CO	35.230		
1,800		INTEL CORP	13.1800		
3,645		INTERNATIONAL BUSINESS MACHINES	61.800		
2,667.3		J.P. MORGAN CHASE & CO	31.660		
1,134		JOHNSON & JOHNSON	58.580		
2,108		MCDONALD'S CORP	58.750		
7,695		MERCK & CO	26.720		
31,888		MICROSOFT CORP	20.220		
1,520		ORACLE CORPORATION	16.090		
6,961		PEPPER INC	26.700		
2,025		PHILLIP MORRIS INTERNATIONAL	16.430		
2,916		PROCTER & GAMBLE CO	42.160		
1,820		QUANCOM INC	64.350		
1,215		SCHNEIDER & CO	23.720		
3,715		FIDELITY SPARTAN	50.740		
		U.S. TREASURY MONEY MARKET CLASS B	1		
1,701		U.S. BANKING	99.971		
972		UNITED PARCEL SVC INC	26.900		
		U.S. TREASURY BILL	57.600		
275,000		DOE 03/26/2009			
972		3/26/2009			
		UNITED TECHNOLOGIES CORP	48.530		
		CONTINUED ON PAGE 5			



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DATE	BUYING ACCOUNT	SELL ACCOUNT	SECURITY DESCRIPTION	PRICE PER UNIT	AMOUNT BOUGHT TO YOUR ACCOUNT	AMOUNT SAVED TO YOUR ACCOUNT
	2,754		VERIZON COMMUNICATIONS		32,650	
	2,106		WAL-MART STORES INC		55,880	
			MARKET VALUE OF SECURITIES			
			LONG			
			SHORT			



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Account Number	Account Name	Account Type	Account Status	Account Balance	Account Description	Account Action	Account Date	Account Amount
					YEAR-TO-DATE SUMMARY			
					GROSS PROCEEDS FROM SALES			264,280.15
								21,057,956.94