

**Hearing Date: June 9, 2021**  
**Response Deadline: April 15, 2021**  
**Reply Deadline: May 31, 2021**

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

SECURITIES INVESTOR PROTECTION  
CORPORATION,  
  
Plaintiff-Applicant

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,  
  
Defendant.

Adv. Pro. No. 08-1789 (SMB)  
  
SIPA Liquidation  
  
(Substantively Consolidated)

In re:

BERNARD L. MADOFF,  
  
Debtor.

Adv. Pro. No. 09-01239 (CGM)

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC, as  
assignee of Fairfield Sentry Limited,  
  
Plaintiff,

vs.

FAIRFIELD INVESTMENT FUND LIMITED,  
STABLE FUND, FAIRFIELD  
GREENWICH (BERMUDA) LIMITED,  
FAIRFIELD GREENWICH ADVISORS, LLC,  
FAIRFIELD GREENWICH LIMITED,  
FAIRFIELD INTERNATIONAL MANAGERS,  
INC., WALTER M. NOEL, JR., JEFFREY  
TUCKER, ANDRÉS PIEDRAHITA, AMIT  
VIJAYVERGIYA, PHILIP TOUB, CORINA  
NOEL PIEDRAHITA, FAIRFIELD GREENWICH  
CAPITAL PARTNERS and SHARE MANAGEMENT  
LLC,  
  
Defendants.

**NOTICE OF DEFENDANTS'  
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and Declaration of Peter E. Kazanoff, Defendants Fairfield Investment Fund Limited, Stable Fund, L.P., Fairfield Greenwich (Bermuda) Limited, Fairfield Greenwich Advisors, LLC, Fairfield Greenwich Limited, Fairfield International Managers, Inc., Walter M. Noel, Jr., Jeffrey Tucker, Andrés Piedrahita, Amit Vijayvergiya, Philip Toub, Corina Noel Piedrahita, Fairfield Greenwich Capital Partners, and Share Management LLC shall move this Court, before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, Alexander Hamilton Customs House, Courtroom 621, One Bowling Green, New York, New York, 10004-1408, on June 9, 2021 at a time to be designated by the Court, for an Order, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable hereto and incorporated into the above-captioned adversary proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure, dismissing with prejudice all counts of the Second Amended Complaint and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Scheduling Order, dated October 21, 2020 (Dkt. No. 289), Plaintiff's response, if any, is due on or before April 15, 2021, and Defendants' reply, if any, is due on or before May 31, 2021.

**PLEASE TAKE FURTHER NOTICE** that if no objections or responses are timely filed and served, Defendants may submit to the Bankruptcy Court an order dismissing the Second Amended Complaint, which order may be entered without any further notice or opportunity to be heard.

Dated: January 15, 2021  
New York, New York

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