

Hearing Date and Time: To Be Determined
Objection Deadline: July 27, 2012

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

SIPA Liquidation

Adversary Proceeding No. 08-1789 (BRL)

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

UBS AG et al.,

Defendants.

Adversary Proceeding No. 10-5311 (BRL)

**NOTICE OF MOTION OF MOVING UBS
DEFENDANTS TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, upon the Motion of Defendants UBS (Luxembourg) S.A., UBS Fund Services (Luxembourg) S.A., and UBS Third Party Management Company S.A. (collectively, the “Moving UBS Defendants”) to Dismiss the Complaint (the “Motion”); and the accompanying Moving UBS Defendants’ Memorandum of Law in Support of Their Motion to

Dismiss the Complaint, dated April 27, 2012; and the Declaration of Martin Baumert, dated April 26, 2012; the Declaration of Pierre-Antoine Boulat, dated April 25, 2012; the Declaration of Aloyse Hemman, dated April 26, 2012; and all the prior papers filed and proceedings had herein, the Moving UBS Defendants will move this Court, before the Honorable Burton R. Lifland, United States Bankruptcy Judge, on a date and time to be designated by the Court, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408, for an order dismissing the Complaint of Irving H. Picard, the court-appointed Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC (the “Trustee”), as against the Moving UBS Defendants, pursuant to Federal Rule of Bankruptcy Procedure 7012(b) and Federal Rule of Civil Procedure 12(b)(2).

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s Stipulation and Order Modifying Briefing Schedule, entered on April 20, 2012 [Docket No. 103] (the “Stipulation and Order”), any opposition papers to the Motion shall be filed by the Trustee on or before July 27, 2012, and the Securities Investor Protection Corporation may also file opposition papers to the Motion on or before July 27, 2012.

PLEASE TAKE FURTHER NOTICE that pursuant to the Stipulation and Order, any reply papers shall be submitted by the Moving UBS Defendants on or before September 10, 2012, and the Court shall thereafter hold a hearing, on a date determined by the Court, to consider the relief requested in the Motion.

Dated: New York, New York
April 27, 2012

Respectfully submitted,

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