

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

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

INTELIGO BANK LTD., F/K/A BLUBANK LTD,

Defendant.

Adv. Pro. No. 11-02763 (CGM)

INTELIGO BANK'S MOTION TO DISMISS

Heather Lamberg (HLamberg@winston.com)
Christopher D. Man (CMan@winston.com)
WINSTON & STRAWN
1901 L Street, NW
Washington, DC 200036
(202) 282-5274 (phone)
(202) 282-5100 (fax)

PLEASE TAKE NOTICE, that pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(b)(12), Defendant Inteligo Bank Ltd., moves this Court for an Order to dismiss plaintiff Trustee of Bernard L. Madoff Investment Securities LLC (BLMIS)'s Complaint on grounds including that (1) the Court lacks personal jurisdiction over Inteligo Bank; (2) the Plaintiff has failed to state a claim under the mere conduit defense; and (3) the Plaintiff has failed to state a claim under the 11 U.S.C. § 546(e) safe harbor. In support, Inteligo Bank submits its Memorandum of Law dated June 27, 2022, which is being filed contemporaneously with this motion.

New York, New York
Date: June 27, 2022

/s/ Heather Lamberg
Heather Lamberg (HLamberg@winston.com)
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CERTIFICATE OF SERVICE

I, Heather Lamberg, an attorney admitted pro hac vice in the State of New York, hereby certify that:

1. On the 27th day of June 2022, I have caused service of Inteligo Bank's Motion to Dismiss and Memorandum in Support of Motion to Dismiss to be made by electronic filing with the Clerk of the Court using the CM/ECF System which will send a Notice of

Electronic Filing to all parties with an e-mail address of record, who have appeared and
consented to electronic service in this action.

New York, New York
Date: June 27, 2022

/s/ Heather Lamberg
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