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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**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.

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

SIPA LIQUIDATION

(Substantively Consolidated)

**NOTICE TO DEFENDANTS ESTABLISHING DEADLINE  
TO FILE REQUESTS TO DEPOSE BERNARD L. MADOFF**

PLEASE TAKE NOTICE, that a conference was held before the Honorable Stuart M. Bernstein, United States Bankruptcy Court, on July 20, 2016 (“Conference”) in connection with two requests by counsel for multiple defendants who are seeking permission to depose Bernard L. Madoff (“Madoff”) (*see* Dkt. Nos. 13603, 13604, 13605 and 13617);

**PLEASE TAKE FURTHER NOTICE**, that based on the possibility that other defendants in the “good faith” cases (*i.e.*, those adversary proceedings seeking the avoidance and recovery of two-year transfers and subsequent transfers in which the Trustee has not alleged any knowledge and/or lack of good faith of the defendant(s)) may seek to depose Madoff, the Court determined that a consolidated and uniform procedure to seek permission to depose Madoff is warranted in order to prevent duplication, and to foster coordination and efficiency in the event that a deposition of Madoff is approved by the Court;

**PLEASE TAKE FURTHER NOTICE**, that the Court has established the following procedure that must be followed to timely seek permission to depose Madoff in the “good faith” cases. No motions seeking permission to depose Madoff are required. Instead, defendants shall file a *Notice of Request to Depose Bernard L. Madoff*, which must contain the following information:

- (i) the names of the defendants and the adversary proceeding number(s) in which the deposition is sought;
- (ii) the specific areas of inquiry for the deposition; and
- (iii) the relevance of the specific areas of inquiry to the respective adversary proceeding(s).

**PLEASE TAKE FURTHER NOTICE** that the Court has established the following deadlines regarding the procedure:

**July 22, 2016** — Deadline for the Trustee to file and serve this *Notice To Defendants Establishing Deadline to File Requests to Depose Bernard L. Madoff*.

**August 5, 2016** — Deadline for “good faith” defendants to file and serve on counsel for the Trustee a *Notice of Request to Depose Bernard L. Madoff*.

**August 19, 2016** — Deadline to file and serve any opposition to timely filed *Notices of Request to Depose Bernard L. Madoff*, and the Motion for an Order Authorizing the Deposition of Bernard L. Madoff, filed on July 7, 2016 by Chaitman LLP.

**August 24, 2016, at 10:00 a.m.** — Date of hearing before the Court to determine whether a deposition should be authorized and any parameters thereof.

**PLEASE TAKE FURTHER NOTICE**, that this *Notice To Defendants Establishing Deadline to File Requests to Depose Bernard L. Madoff* shall be filed only in the main adversary proceeding, No. 08-01789 (SMB), and served upon “good faith” defendants, and that no further notice is necessary or required;

**PLEASE TAKE FURTHER NOTICE**, that defendants in non -“good faith” cases where the Trustee has alleged knowledge and/or a lack of good faith of the defendant(s) shall not be subject to these procedures.

Date: July 22, 2016  
New York, New York

**BAKER & HOSTETLER LLP**

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**File a Notice:**

08-01789-smb Securities Investor Protection Corporation v. Bernard L. Madoff Investment Securities, LLC. et a

**U.S. Bankruptcy Court**

**Southern District of New York**

Notice of Electronic Filing

The following transaction was received from Keith R. Murphy entered on 7/22/2016 at 2:27 PM and filed on 7/22/2016

**Case Name:** Securities Investor Protection Corporation v. Bernard L. Madoff Investment Securities, LLC. et a  
**Case Number:** 08-01789-smb  
**Document Number:** 13786

**Docket Text:**

Notice to Take Depositions /*Notice to Defendants Establishing Deadline to File Requests to Depose Bernard L. Madoff* filed by Keith R. Murphy on behalf of Irving H. Picard. (Murphy, Keith)

The following document(s) are associated with this transaction:

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ca0050d47e95cb6c07a890940848905f5ff9f744701d54e7aede62074983]]

**08-01789-smb Notice will be electronically mailed to:**

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