

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-10791-LLS**

Securities and Exchange Commission v. Madoff et al  
Assigned to: Judge Louis L. Stanton  
Related Cases: [1:08-cv-11332-LLS](#)  
[1:09-cv-02467-LLS](#)  
Cause: 15:77 Securities Fraud

Date Filed: 12/11/2008  
Jury Demand: None  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: U.S. Government Plaintiff

Date Filed	#	Docket Text
12/11/2008	<u>1</u>	COMPLAINT against Bernard L. Madoff, Bernard L. Madoff Investment Securities, LLC. Document filed by Securities and Exchange Commission.(rdz) (Entered: 12/12/2008)
12/11/2008		SUMMONS ISSUED as to Bernard L. Madoff, Bernard L. Madoff Investment Securities, LLC. (rdz) (Entered: 12/12/2008)
12/11/2008		Magistrate Judge Kevin N. Fox is so designated. (rdz) (Entered: 12/12/2008)
12/11/2008		Case Designated ECF. (rdz) (Entered: 12/12/2008)
12/11/2008		Minute Entry for proceedings held before Judge Louis L. Stanton: Show Cause Hearing held on 12/11/2008. Court signs order appointing receiver. Matter adjourned until 12/12/08 at 12:00 p.m. (mro) (Entered: 12/12/2008)
12/12/2008	<u>2</u>	ORDER APPOINTING RECEIVER. Lee Richards of Richards Kibbe &Orbe LLP is appointed Receiver over all the assets and accounts of defendant Bernard L. Madoff Investment Securities LLC, and as further set forth in this document. (Signed by Judge Louis L. Stanton on 12/11/08, 6:42 pm ) (cd) (Entered: 12/12/2008)
12/12/2008	<u>3</u>	ORDER TO SHOW CAUSE, TEMPORARY RESTRAINING ORDER, AND ORDER FREEZING ASSETS AND GRANTING OTHER RELIEF filed by Securities and Exchange Commission. Defendants Madoff and BMIS shall show cause: 1. directing Madoff and BMIS to show cause why an order should not be entered pending a final disposition of this action:(a) preliminarily enjoining Defendants from violating Sections 206( 1) and 206(2) of the Investment Advisers Act of 1940 ("Advisers Act"), 15 USC § 80b-6(l) and (2); Section 17(a) of the Securities Act of 1933 ("Securities Act"), 15 USC §§ 77q(a); Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 USC §§ 78j(b), and Exchange Act Rule 10b-5, 17 CFR § 240.10b-5. (b) directing Defendants to provide a verified accounting immediately, including, but not limited to, a verified written accounting of Madoffs interests in BMIS and all other entities owned, in whole or in part, or controlled by, related to, or associated or affiliated with, Madoff or BMIS; (c) freezing the assets of the Defendants; (d) appointing Lee Richards as receiver for BMIS' assets; (e) prohibiting the destruction, concealment, or alteration of documents by Defendants; and (f) preliminarily enjoining Defendants and their partners, owners, agents, employees, attorneys, or other professionals, anyone acting in concert with them, and any third party from filing a bankruptcy proceeding against the Defendants without filing a motion on at least three (3) days' notice to the Plaintiff, and approval of this Court after a hearing; and (2) pending adjudication of the foregoing, an Order (a) temporarily restraining Defendants from violating the aforementioned statutes and rules; (b) directing Defendant Madoff to provide a verified accounting immediately, including, but not limited to, a verified written accounting of Madoffs interests in BMIS and all other entities owned, in whole or in part, or controlled by, related to, or associated or affiliated with, Madoff or BMIS; (c) freezing the assets of the Defendants, including, without limitation, the accounts listed on the attached Exhibit A. (d) appointing Lee Richards, Esq., of Richard., Kibbe &Orbe LLP as receiver for the Defendants' assets, including without limitation Madoff Securities International Ltd. ("Madoff International") and Madoff Ltd. As further set forth in said Order. Show Cause Hearing set for 12/19/2008 at 12:00 PM in Courtroom 21C, 500 Pearl Street,

		New York, NY 10007 before Judge Louis L. Stanton. Show Cause Response due by 12/16/2008. (Signed by Judge Louis L. Stanton on 12/12/08) (db) Modified on 12/12/2008 (db). (Entered: 12/12/2008)
12/15/2008	<u>4</u>	ORDER; ORDERED, ADJUDGED and DECREED that the customers of the Defendant, Bernard L. Madoff Investment Securities LLC, are in need of the protection afforded by the Securities Investor Protection Act of 1970, as amended ("SIPA", 15 U.S.C. §78aaa et seq.); that pursuant to 15 U.S.c. §78eee(b)(3), Irving H. Picard, Esquire is appointed trustee for the liquidation of the business of the Defendant with all the duties and powers of a trustee as prescribed in SIPA, and the law firm of Baker &Hostetler LLP is appointed counsel for the trustee. The trustee shall file a fidelity bond satisfactory to the Court in the amount of \$250,000.00; that all persons and entities are stayed, enjoined and restrained from directly or indirectly removing, transferring, setting off, receiving, retaining, changing, selling, pledging, assigning or otherwise disposing of, withdrawing or interfering with any assets or property owned, controlled or in the possession of the Defendant, including but not limited to the books and records of the Defendant, and customers' securities and credit balances, except for the purpose of effecting possession and control of said property by the trustee; that pursuant to 15 U.S.C. §78eee(b)(2)(B)(i), any pending bankruptcy, mortgage foreclosure, equity receivership or other proceeding to reorganize, conserve or liquidate the Defendant or its property and any other suit against any receiver, conservator or trustee of the Defendant or its property, is stayed; that pursuant to 15 U.S.C. §78eee(b)(4), this liquidation proceeding is removed to the United States Bankruptcy Court for the Southern District of New York; that the trustee is authorized to take immediate possession of the property of the Defendant, wherever located, including but not limited to the books and records of the Defendant, and to open accounts and obtain a safe deposit box at a bank or banks to be chosen by the trustee, and the trustee may designate such of his representatives who shall be authorized to have access to such property. (Signed by Judge Louis L. Stanton on 12/15/08) (ae) (Entered: 12/15/2008)
12/15/2008	<u>5</u>	MOTION Of The Securities Investor Protection Corporation. Document filed by Securities and Exchange Commission.(rw) (rw). (Entered: 12/15/2008)
12/15/2008	<u>6</u>	MEMORANDUM OF LAW in Support re: <u>5</u> MOTION The Securities Investor Protection Corporation. Document filed by Securities and Exchange Commission. (rw) (rw). (Entered: 12/15/2008)
12/15/2008	<u>7</u>	CONSENT of Defendant, Bernard L. Madoff Investment Securities LLC, admits to the jurisdiction of this Court over it and over the subject matter of this action. (rw) (rw). (Entered: 12/15/2008)
12/18/2008	<u>8</u>	ORDER ON CONSENT IMPOSING PRELIMINARY INJUNCTION, FREEZING ASSETS AND GRANTING OTHER RELIEF AGAINST DEFENDANTS: Pending a final disposition of this action, Defendants, and each of their partners, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of this Order by personal service, facsimile service, telephonic notice, notice by e-mail or otherwise, are preliminarily enjoined from, directly or indirectly, singly or in concert, in the offer, purchase or sale of any security, by use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, as set forth herein. It is further ordered that Lee Richards. Esq., of Richards Kibbe &Orbe LLP, continues as the appointed receiver for the assets of Madoff Securities International Ltd. ("Madoff International"), Madoff Ltd., and any other broker-dealer, market making, or investment advisory businesses (the "Foreign Entities") not located in the United States of America that are owned or controlled, in whole or in part, by Madoff, BMIS and their partners, agents, employees, attorneys, or other professionals, anyone acting in concert with them or on their behalf, and any third party, as set forth herein. Consent of Defendants to Preliminary Injunction Order filed herewith is incorporated herein with the same force and effect as if fully set forth herein, and that Defendants shall comply with all of the undertakings and agreements set forth therein. (Signed by Judge Louis L. Stanton on 12/18/2008) (jpo) (Additional attachment(s) added on 12/19/2008: # <u>1</u> CONSENT OF DEFENDANT BERNARLD L. MADOFF TO PRELIMINARY INJUNCTION ORDER, # <u>2</u> Consent of SIPC Trustee to Preliminary Injunction Order) (jpo). (Entered: 12/19/2008)

12/29/2008	<u>9</u>	LETTER addressed to Mr. &Mrs. Goldenson from Chambers of Judge Louis L. Stanton dated 12/24/08 re: Extension of SIPC Protection to Madoff" Feeder Fund" Investors. (djc) (Entered: 12/29/2008)
12/29/2008	<u>10</u>	LETTER addressed to Mr. Burberry from Matthew Daly, Law Clerk to Judge Louis L. Stanton, dated 12/24/08 re: in response to letter of Decemer 16, 2008. (djc) (djc). (Entered: 12/29/2008)
12/29/2008	<u>11</u>	LETTER addressed to Judge Louis L.Stanton from Daniel R. and Suzanne K. Goldenson dated 12/17/08 re: Extension of SIPC Protection to Madoff "Feeder Fund" Investors. (djc) (Entered: 12/29/2008)
12/29/2008	<u>12</u>	LETTER addressed to Judge Louis L. Stanton from Walter Burberry dated undated re: seeks advisement as to application process for said recovery of funds. (djc) (Entered: 12/29/2008)
12/29/2008	<u>13</u>	NOTICE OF CHANGE OF ADDRESS by Israel E. Friedman on behalf of Securities and Exchange Commission. New Address: Securities and Exchange Commission, New York Regional Office, 3 World Financial Center, Room 400, New York, New York, USA 10281, 212-336-0090. (Friedman, Israel) (Entered: 12/29/2008)
01/08/2009	<u>14</u>	DECLARATION of Alexander M. Vasilescu in Support re: <u>3</u> Order to Show Cause,,,,,,,,,,,,. Document filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit)(Krishnamurthy, Preethi) (Entered: 01/08/2009)
01/08/2009	<u>15</u>	MEMORANDUM OF LAW in Support re: <u>3</u> Order to Show Cause,,,,,,,,,,,,. Document filed by Securities and Exchange Commission. (Krishnamurthy, Preethi) (Entered: 01/08/2009)
01/26/2009	<u>16</u>	WAIVER OF SERVICE RETURNED EXECUTED. Bernard L. Madoff waiver sent on 12/11/2008, answer due 2/9/2009. Document filed by Securities and Exchange Commission. (Krishnamurthy, Preethi) (Entered: 01/26/2009)
01/26/2009	<u>17</u>	ENDORSED LETTER addressed to Judge Louis L. Stanton from Joon P. Hong dated 1/23/2009 re: Requesting that the Court grant a one month extension with respect to receivers report. ENDORSEMENT: On consent of the SEC, this application is granted. So ordered. (Signed by Judge Louis L. Stanton on 1/26/2009) (jpo) (Entered: 01/26/2009)
02/09/2009	<u>18</u>	PARTIAL JUDGMENT ON CONSENT IMPOSING PERMANENT INJUNCTION AND CONTINUING OTHER RELIEF in favor of Securities and Exchange Commission against Bernard L. Madoff Investment Securities, LLC, Bernard L. Madoff. Defendant Madoff, and each of his partners, agents, servants et al are permanently enjoined from directly or indirectly, singly or in concert, in the offer, purchase or sale of any security by use of any means or instruments of transportation or communication in interstate commerce or by use of the mails re employing any device, scheme or artifice to defraud, and as further set forth in this document....That the Consent of Defendant Bernard L. Madoff to a Partial Judgment, filed herewith is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant Madoff shall comply with all of the undertakings and agreements set forth therein. (Signed by Judge Louis L. Stanton on 2/9/09) (cd) (Entered: 02/09/2009)
02/09/2009	19	Consent of Defendant Bernard L. Madoff To Partial Judgment (re document #18). Document filed by Bernard L. Madoff. (cd) (Entered: 02/10/2009)
02/26/2009	<u>20</u>	STATUS REPORT. : <i>Report Of The Receiver Lee S. Richards And Application To Terminate The Receivership</i> Document filed by Lee Richards. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Certificate of Service)(Zinman, Daniel) (Entered: 02/26/2009)
03/02/2009	<u>21</u>	ORDER re: <u>20</u> Status Report, filed by Lee Richards, On or before noon Monday, March 9, 2009, each of the Securities and Exchange Commission, the SIPA Trustee, the United States Attorney for the Southern District of New York and defendants in this action, or their attorneys, shall serve and file responses to the February 26, 2009 Report of the Receiver Lee S. Richards and Application to Terminate the Receivership ("Report &Application") including whether they support or oppose relief requested by the Receiver, their agreement or disagreement that "(1) the preservation and protection of the assets of MSIL and investigation into the affairs of MSIL would be most

		efficiently carried out by and through the JPLs, with the active participation of the UK Authorities and the SEC, and (2) the role of the Receiver is no longer necessary," Report & Application at 13–14, and their view, if any, of the effect termination of the receivership will have on the cooperation directed by paragraph two and three of the December 19, 2008 Order of the High Court of Justice, Chancery Division, Companies Court, in the Matter of Madoff Securities International Limited and In the Matter of the Insolvency Act of 1986, annexed as Exhibit B to the Report & Application. (Signed by Judge Louis L. Stanton on 3/2/09) (mme) (Entered: 03/02/2009)
03/02/2009	<u>22</u>	STIPULATED ORDER PARTIALLY LIFTING THE FREEZE ON DEFENDANT BERNARD L. MADOFF'S ASSETS It is hereby agreed and stipulated, that, notwithstanding any prior law of this case or prior order of this Court, Madoff, and each of his financial and brokerage institutions, agents, servants, employees, attorneys and those persons in active concert or participation with him, are hereby relieved from the Asset Freeze to the extent needed to cooperate with the Trustee in transferring, pledging or assigning, or causing to be transferred, pledged or assigned, to or for the benefit of the Trustee, assets, funds or other property (including money, real or personal property, securities, commodities, choses in action or other property of any kind whatsoever) of, held by, or under the direct control of, Madoff, whether held in the name of Madoff, BLMIS, Madoff International, or Madoff Ltd., or for the direct or indirect beneficial interest of Madoff, wherever situated, in whatever form such assets may presently exist and wherever located. (Signed by Judge Louis L. Stanton on 3/2/09) (mme) (Entered: 03/02/2009)
03/02/2009	<u>23</u>	ORDER ON CONSENT For the reasons set forth in this order, it is hereby ordered, that the Prosecutor's forfeiture–related activity with respect to the Madoff Property shall not constitute a violation of the Restraints; and it is further ordered that Madoff, Ruth Madoff, and their counsel are relieved from Restraints to the extent needed to cooperate with the Prosecutor regarding the restraint, seizure, and disposition of the Madoff property in accordance with federal law; and it is further ordered that, notwithstanding any other provisions of this Order, the Restraints will continue to apply to the Madoff Homes without prejudice to a future application from the USAO for an order excluding from the Restraints any actions taken by the Prosecutor under the forfeiture with respect to the Madoff homes. (Signed by Judge Louis L. Stanton on 3/2/09) (mme) (Entered: 03/02/2009)
03/02/2009	<u>24</u>	LETTER addressed to Judge Louis L. Stanton from Sharon E. Frase dated 3/1/09 re: Counsel asks that the Court issue the enclosed proposed order (the Relief Order) finding that actions taken under the federal forfeiture laws by the USAO, the Federal Bureau of Investigation ("FBI"), the U.S. Marshals Service ("USMS"), and their employees and agents (collectively, the "Prosecutor"), with respect to Madoff's property as defined in this letter, shall not constitute a violation of any of the following restraints set forth in the December 12, 2008 Order to Show Cause, Temporary Restraining Order and Order Freezing Assets and Granting Other Relief ("TRO"); the December 18, 2008 Order on Consent Imposing Preliminary Injunction, Freezing Assets and Granting Order Relief Against Defendants ("Preliminary Injunction"); and the February 9, 2009 Partial Judgment on Consent Imposing Permanent Injunction and Continuing Other Relief ("Permanent Injunction") entered by the Court in the above–captioned civil action against Madoff and BLMIS. USAO requests that the Prosecutor be exempted from those provisions with respect to any and all of the Madoff Property. The actions excluded from the Restraints would include, but not be limited to, the location, restraint, seizure, forfeiture, sale, transfer, encumbrance, disposal, management, maintenance, containment, negotiation, preservation, removal, storage, distribution, or dissipation of the Madoff Property. As part of the Relief Order, the USAO also requests the Court to direct that the Madoffs and their counsel shall be relieved from the Restraints to the extent needed to cooperate with the Prosecutor regarding the restraint, seizure, and disposition of forfeitable property in accordance with federal law. The USAO also requests, notwithstanding any other provisions of this Order, that the Restraints continue to apply to Ruth Madoff's New York City apartment, her home in Palm Beach, Florida, and the Madoffs' home in Montauk, New York (the "Madoff Homes"), without prejudice to a future application from the USAO for an order excluding from the Restraints any actions taken by the Prosecutor under the forfeiture with respect to the Madoff Homes. (mme) (Entered: 03/03/2009)

03/02/2009	<u>25</u>	LETTER addressed to Judge Louis L. Stanton from John J. Carney dated 3/2/09 re: Counsel writes on behalf of Irving Picard, trustee for the liquidation of Bernard L. Madoff Investment Securities, LLC (the "Trustee"). Counsel requests that this Court order relief from its freeze orders entered in the above referenced matter as described in this letter. (mme) (Entered: 03/03/2009)
03/02/2009	<u>29</u>	STIPULATED ORDER PARTIALLY LIFTING THE FREEZE ON DEFENDANT BERNARD L. MADOFF'S ASSETS It is hereby agreed and stipulated, that, notwithstanding any prior law of this case or prior order of this Court, Madoff, and each of his financial and brokerage institutions, agents, servants, employees, attorneys and those persons in active concert or participation with him, are hereby relieved from the Asset Freeze to the extent needed to cooperate with the Trustee in transferring, pledging or assigning, or causing to be transferred, pledged or assigned, to or for the benefits of the trustee, assets, funds or other property (including money, real or personal property, territories, securities commodities, choses in action or other property of any kind whatsoever) of, held by, or under the direct control of, Madoff, whether held in the name of Madoff, BLMIS, Madoff International, or Madoff Ltd., or for the direct or indirect beneficial interest of Madoff, wherever situated, in whatever form such assets may presently exist and wherever located. (Signed by Judge Louis L. Stanton on 3/2/09) (mme) (Entered: 03/11/2009)
03/09/2009	<u>26</u>	MEMORANDUM OF LAW in Support re: <u>20</u> Status Report, <u>21</u> Order, Set Deadlines,,,,,,. Document filed by Securities and Exchange Commission. (Vasilescu, Alexander) (Entered: 03/09/2009)
03/11/2009	<u>27</u>	LETTER addressed to Judge Louis L. Stanton from Marc Lin dated 3/9/09 re: Counsel writes this letter in response to the February 26, 2009 Report of the Receiver Lee S. Richards and Application to Terminate the Receivership (the "Receiver's Report & Application"). Accordingly, the U.S. Attorney requests that that the Court direct that this letter be docketed. (mme) (Entered: 03/11/2009)
03/11/2009	<u>28</u>	LETTER addressed to Judge Louis L. Stanton from David J. Sheenan dated 3/9/09 re: Counsel writes this letter as a response of Irving H. Picard, the Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS"), to the Courts Order of March 2, 2009. For the reasons set forth in this letter, counsel agrees with the Receiver that his continued role is not required. (mme) (Entered: 03/11/2009)
03/17/2009	<u>30</u>	ENDORSED LETTER addressed to Judge Louis L. Stanton from Marc Litt dated 3/16/2009 re: The U.S. Attorney respectfully requests that the Court direct that this letter be docketed. ENDORSEMENT: To The Clerk of the Court: Please docket and place this document in the public file. (Signed by Judge Louis L. Stanton on 3/16/2009) (jpo) (Entered: 03/17/2009)
03/18/2009	<u>31</u>	NOTICE OF APPEARANCE by Ira Lee Sorkin on behalf of Bernard L. Madoff (Sorkin, Ira) (Entered: 03/18/2009)
03/18/2009	<u>32</u>	NOTICE OF APPEARANCE by Daniel James Horwitz on behalf of Bernard L. Madoff (Horwitz, Daniel) (Entered: 03/18/2009)
03/18/2009	<u>33</u>	NOTICE OF APPEARANCE by Nicole Pappas De Bello on behalf of Bernard L. Madoff (De Bello, Nicole) (Entered: 03/18/2009)
03/19/2009	<u>34</u>	NOTICE OF APPEARANCE by Mauro Michael Wolfe on behalf of Bernard L. Madoff (Wolfe, Mauro) (Entered: 03/19/2009)
03/23/2009		Minute Entry for proceedings held before Judge Louis L. Stanton: Hearing on application to terminate the receivership was held and concluded on 3/23/2009. (mro) (Entered: 03/24/2009)
03/23/2009	<u>35</u>	ORDER: (1) For the reasons stated in the March 9, 2009 letter from David J. Sheehan, Esq., counsel for Mr. Picard, to the Court and his statements upon the record in court, and it appearing provident and expedient for this to be done now, Mr. Richards shall pursuant to item 1.2 thereof appoint Irving Picard, as the SIPA Trustee, as substitute Attorney under the December 15, 2008 Power of Attorney granted by Mr. Bernard L. Madoff (in his individual capacity) to act thereunder as Mr. Picard considers desirable in connection with all of the issued shares of MSIL registered in Mr. Bernard L. Madoff's name; (2) Mr. Richards's Report and Application is accepted and his receivership discharged and terminated with the thanks of the Court on behalf of the

public; and (3) Mr. Richards may serve and file his application for payment of fees and expenses as receiver, in accordance with the requirements of applicable law and procedures. So ordered. (Signed by Judge Louis L. Stanton on 3/23/2009) (tve)  
(Entered: 03/24/2009)