

**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. 08-01789 (LGB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

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

Plaintiff,

v.

EQUITY TRADING PORTFOLIO LIMITED,

Defendant.

Adv. Pro. No. 10-04457 (LGB)

STIPULATION AND ORDER FOR ENTRY OF JUDGMENT

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–*lll*, and the substantively consolidated estate of Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, and Defendant Equity Trading Portfolio Limited (“Equity Trading,” and together with the Trustee, the “Parties”), by and through its counsel, Dechert LLP, hereby stipulate and agree to the following:

1. The Trustee shall be entitled to immediate entry of the Consent Judgment, a copy of which is attached hereto as Exhibit 1, entered against Equity Trading in the total amount of amount of \$23,004,000.00 (“Judgment Amount”), representing the sum of the avoidable transfer in the amount of \$15,000,000.00, plus \$8,004,000.00 in pre-judgment interest on the avoidable transfer at the rate of 4% per annum, \$1,642.18 daily, from December 1, 2010 through April 5, 2024.

2. Equity Trading does not dispute the Judgment Amount set forth in paragraph 1 above.

3. Dechert LLP will produce all non-privileged documents in its possession to the Trustee that pertain to this adversary proceeding by April 26, 2024.

4. The Consent Judgment shall be final for all purposes upon entry of the Consent Judgment and each Party waives any right to appeal therefrom.

5. The Trustee shall seek to enforce the Consent Judgment or collect the Judgment Amount solely from Equity Trading or any subsequent transferee of any funds received by Equity Trading from BLMIS.

6. Equity Trading, through its counsel in this action, acknowledges that it understands the contents of this Stipulation for Entry of Judgment (this “Stipulation”).

7. The Parties have authorized their respective counsel of record to sign and execute this Stipulation on their behalf.

8. This Stipulation shall be filed immediately upon its execution.

9. This Stipulation may be signed in counterparts, all of which when taken together shall constitute the agreement of the Parties hereto. A photocopy, facsimile or email signature to this Stipulation shall be deemed as an original signature for any and all purposes.

10. The Clerk of Court shall enter this Consent Judgment on the docket.

Dated: April 5, 2024
New York, New York

/s/ Marco Molina

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New York, New York 10111

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the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
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/s/ Neil A. Steiner

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*Attorneys for Equity Trading Portfolio
Limited*

SO ORDERED.

Dated: April 10, 2024
New York, New York

/s/ Lisa G. Beckerman

Honorable Lisa G. Beckerman

United States Bankruptcy Judge

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

<p>SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.</p>	<p>Adv. Pro. No. 08-01789 (LGB) SIPA LIQUIDATION (Substantively Consolidated)</p>
<p>In re: BERNARD L. MADOFF, Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff, Plaintiff, v. EQUITY TRADING PORTFOLIO LIMITED, Defendant.</p>	<p>Adv. Pro. No. 10-04457 (LGB)</p>

CONSENT JUDGMENT OF EQUITY TRADING PORTFOLIO LIMITED

WHEREAS, Irving H. Picard (the “Trustee”) is the trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III., substantively consolidated with the liquidation under chapter 7 of the Bankruptcy Code, 11 U.S.C. §§ 101–1532, of the estate of Bernard L.

Madoff (“Madoff”), currently pending in United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) as Case No. 08-01789 (LGB);

WHEREAS, the Trustee is duly qualified to serve and act on behalf of the consolidated of BLMIS and Madoff;

WHEREAS, on December 1, 2010, the Trustee commenced the above-captioned adversary proceeding in the Bankruptcy Court, alleging, inter alia, that Defendant Equity Trading Portfolio Limited (“Equity Trading”) received an avoidable transfer in the amount of \$15,000,000.00 (the “Avoidable Transfer”) in connection with BLMIS Account No. 1FR124;

WHEREAS, on April 5, 2024, the Trustee and Equity Trading (collectively, the “Parties”) entered into a Stipulation for Entry of Judgment (“Stipulation”); and

WHEREAS, pursuant to the terms of the Stipulation, Equity Trading has consented to the entry of judgment against it (the “Consent Judgment”) with respect to the Avoidable Transfer.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. The Avoidable Transfer is avoided under section 548 of the Bankruptcy Code and recoverable under section 550 of the Bankruptcy Code.
2. Subject to the terms of the Stipulation, and as set forth in the recitals above, the Consent Judgment is hereby entered in favor of the Trustee and against Equity Trading in the total amount of \$23,004,000.00, representing the sum of the avoidable transfer in the amount of \$15,000,000.00, plus \$8,004,000.00 in pre-judgment interest on the avoidable transfer at the rate of 4% per annum, \$1,642.18 daily, from December 1, 2010 through April 5, 2024.
3. Equity Trading has had the opportunity to obtain the advice of counsel and is consenting and agreeing to all terms of this Consent Judgment freely and voluntarily.

4. The Parties have authorized their respective counsel of record to sign and execute this Consent Judgment on their behalf.

5. The Bankruptcy Court shall have exclusive jurisdiction over any action to enforce this Consent Judgment.

6. The Clerk of Court shall enter this Consent Judgment on the Docket in favor of the Trustee for the Judgment Amount.

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**AGREED AND CONSENTED TO AS TO
FORM AND SUBSTANCE:**

Dated: April 5, 2024
New York, New York

/s/ Marco Molina

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SO ORDERED.

Dated: April 10, 2024
New York, New York

/s/ Lisa G. Beckerman

HONORABLE LISA G. BECKERMAN
UNITED STATES BANKRUPTCY JUDGE