

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 Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

Adv. Pro. No. 10-5311 (CGM)

v.

UBS EUROPE SE (f/k/a UBS (LUXEMBOURG)
S.A.), UBS FUND SERVICES (LUXEMBOURG)
S.A., UBS THIRD PARTY MANAGEMENT
COMPANY S.A., M&B CAPITAL ADVISERS
SOCIEDAD DE VALORES, S.A., RELIANCE
INTERNATIONAL RESEARCH LLC,
LUXEMBOURG INVESTMENT FUND AND
LUXEMBOURG INVESTMENT FUND U.S.
EQUITY PLUS, as represented by their Liquidators
MAÎTRE ALAIN RUKAVINA and PAUL
LAPLUME, MAÎTRE ALAIN RUKAVINA and
PAUL LAPLUME, in their capacities as liquidators
and representatives of LUXEMBOURG
INVESTMENT FUND AND LUXEMBOURG
INVESTMENT FUND U.S. EQUITY PLUS,

Defendants.

**ERRATA ORDER REGARDING MEMORANDUM OF DECISION DENYING
DEFENDANTS' MOTION TO DISMISS**

The Memorandum Decision Denying Defendant's Motion to Dismiss, dated October 10, 2023 (ECF No. 319), should be corrected as follows. On page 10, the paragraph entered as:

Defendant is a securities broker-dealer organized in Spain. (*Id.* ¶ 84). M&B allegedly created and ran the feeder fund, LIF-USEP, which invested \$758 million with BLMIS. (Am. Compl. ¶¶ 169, 258–59.). It allegedly received BLMIS account statements and trade confirmations. (*Id.* ¶ 259). As distributor of LIF-USEP, M&B recruited investment capital for the fund. (*Id.* ¶¶ 4, 92, 179). It received millions in fees in the form of BLMIS money through LIF-USEP as a result from its relationship to LIF-USEP. (*Id.* ¶¶ 92, 171, 270). M&B also served as the feeder fund's official sponsor, custodian, administrator, manager, and advisor. (*Id.* ¶ 259).

should be corrected to read as follows:

Defendant is a securities broker-dealer organized in Spain. (Am. Compl. ¶ 84). M&B allegedly created and ran the feeder fund, LIF-USEP, which invested \$758 million with BLMIS. (*Id.* ¶¶ 169, 258–59.). It allegedly received BLMIS account statements and trade confirmations. (*Id.* ¶ 259). As distributor of LIF-USEP, M&B recruited investment capital for the fund. (*Id.* ¶¶ 4, 92, 179). It received millions in fees in the form of BLMIS money through LIF-USEP as a result from its relationship to LIF-USEP. (*Id.* ¶¶ 92, 171, 270). M&B also served as the feeder's distributor and advisor. (*Id.* ¶ 259).

Dated: October 26, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge