

**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 Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABU DHABI INVESTMENT AUTHORITY,

Defendant.

Adv. Pro. No. 11-02493 (LGB)

**ORDER GRANTING IN PART
DEFENDANT’S MOTION TO DISMISS**

Defendant Abu Dhabi Investment Authority (“Defendant”) filed a motion to dismiss the complaint filed in this action (“Complaint”) under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(1), 12(b)(2) and 12(b)(6) along with supporting papers (the “Motion to Dismiss”) on May 11, 2022. The Court entered an Order denying Defendant’s Motion to Dismiss on November 3, 2022. The Defendant appealed the Order denying the Motion to Dismiss on November 16, 2022. The District Court issued its Opinion and Order on March 29, 2024, and its

Amended Order on June 13, 2024 (collectively the “Decision”) reversing this Court’s denial of the Motion to Dismiss with respect to the claim concerning the purported transfer of \$100,000,000.00 in March 2006. This Court entered an Order on Remand Granting in Part Defendant’s Motion to Dismiss on September 16, 2024. Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to Dismiss is granted as to the claim concerning the purported transfer of \$100,000,000.00 in March 2006.
2. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: September 30, 2024
NEW YORK, NEW YORK

/s/ Lisa G. Beckerman
HONORABLE LISA G. BECKERMAN
UNITED STATES BANKRUPTCY JUDGE