## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

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

Plaintiff-Applicant,

SIPA Liquidation

v.

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Plaintiff,

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,

v.

SNS BANK N.V. and SNS GLOBAL CUSTODY B.V.,

Defendants.

Adv. Pro. No. 12-01046 (LGB)

## STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE

Plaintiff Irving H. Picard (the "Trustee"), as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–*Ill*, and the chapter 7 estate of Bernard L. Madoff, and Defendants SNS Bank N.V. and SNS Global Custody B.V. ("Defendants," and with the Trustee, the "Parties," and each individually, a "Party"), by and through their respective undersigned counsel, hereby stipulate and agree to the following:

- 1. On February 9, 2012, the Trustee filed and served the Complaint against the Defendants [ECF No. 1].
  - 2. On April 20, 2023, Defendants filed an Answer to the Complaint [ECF No. 131].
- 3. On August 2, 2024, this Court entered an Order allowing Defendants to file an Amended Answer [ECF No. 135].
- 4. On December 11, 2024, the Parties entered into a settlement agreement that settled the claims that the Trustee asserted against Defendants in this Adversary Proceeding, which was approved by order of this Court on January 2, 2025 [ECF No. 140].
- 5. In accordance with Federal Rule of Bankruptcy Procedure 7041, and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal of the Trustee's claims against Defendants in this Adversary Proceeding and dismissal of this Adversary Proceeding with prejudice and without costs to any Party.
- 6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

[Signatures on following page]

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Dated: January 22, 2025

New York, New York

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Attorneys for Defendants SNS Bank N.V. and SNS Global Custody B.V.

SO ORDERED.

DATED: <u>January 23, 2025</u> NEW YORK, NEW YORK /s/ Lisa G. Beckerman HONORABLE LISA G. BECKERMAN UNITED STATES BANKRUPTCY JUDGE