

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff -against- BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.
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, -against- FAIRFIELD INVESTMENTS FUND LIMITED, <u>et al.</u> , Defendants.

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

SIPA LIQUIDATION

(Substantively Consolidated)

**ORDER CONCERNING THE
DEPOSITION OF
AMIT VIJAYVERGIYA**

Adv. Pro. No. 09-01239 (LGB)

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,

-against-

BARCLAYS BANK (SUISSE) S.A., et al.,

Defendants.

Adv. Pro. No. 11-02569 (LGB)

By letter and email dated January 22, 2025, the Trustee challenged the service of a cross-notice by the defendants in the Barclays Bank proceeding, (Adv. Pro. No. 11-02569 (LGB)), to depose Amit Vijayvergiya, a defendant in the Fairfield Investment Fund proceeding, (Adv. Pro. 09-01239 (LGB)), on the same date that the Trustee had previously noticed the deposition of Mr. Vijayvergiya in the Fairfield Investment Fund proceeding. The Trustee requested expedited relief, contending that the cross-notice was both procedurally improper and unworkable. The Barclays Bank defendants opposed that application in an email dated January 22, 2025, and a letter dated January 23, 2025.

Thereafter, I heard oral argument concerning the dispute via a videoconference on the afternoon of January 24, 2025. In addition to counsel for the Trustee and for the defendants in the Barclays Bank proceeding, the Trustee's counsel in the Fairfield Investment Fund proceeding and Mr. Vijayvergiya's counsel participated .

Near the end of the conference, I provided instructions as to how the deposition of Mr, Vijayvergiya should proceed.

The purpose of this Order is simply to confirm that the parties must follow those oral instructions when Mr. Vijayvergiya is deposed unless, as discussed during the conference, counsel for all the parties concerned and for the witness otherwise agree.

SO ORDERED.

Dated: New York, New York
January 27, 2025



Hon. Frank Maas (Ret.)
Discovery Arbitrator