

EXHIBIT K

field of accounting. Many of my clients were broker-dealers subject to SEC and NASD rules and regulations. The hourly fee I charged for my services was \$350.

3. I retired in 1987 and my practice was sold to another C.P.A. firm. I still continue my membership with the New York State Society of C.P.A.'s. I would like to add that since my retirement, I have become an active trader in the stock market. I also do tax research for my daughter, who has her own accounting practice in California.

4. I made an initial investment in the Greenwich Sentry fund on behalf of the Bach Trust on or around February 15, 2002. Thereafter I made subsequent investments in the Greenwich Sentry fund on behalf of the Bach Trust and the total amount invested by the Bach Trust is \$1,375,000. No redemptions were made.

5. The Bach Trust lost the entire \$1,375,000 of principal it invested in the Greenwich Sentry fund. This amount represented a significant percentage of my family's savings and I consider that a very significant loss.

6. On December 11, 2008, it was reported that Bernard L. Madoff was arrested for perpetrating a Ponzi scheme. I became aware that the overwhelming majority of the Greenwich Sentry fund's assets were invested with Madoff resulting in a near total loss of my investment. When I learned that there were potential claims to recover my investment, I sought the advice of and ultimately retained counsel to prosecute this action on my behalf and on behalf of a class of similarly-situated investors in the Funds managed by the FG Defendants.

7. During the course of the litigation, I have reviewed or been advised of the complaints filed in this action, the briefing in opposition to the motions to dismiss the complaint, and the decisions denying, in substantial part, the motions to dismiss. I

reviewed the motion for class certification, and produced documents and gave a deposition in support of that motion. I spent significant time reviewing these documents and discussing them with my counsel. I have also regularly communicated with my counsel to keep abreast of the activity in the action. Through this process I was well-informed of the strengths and weaknesses of our claims against the FG Defendants, as well as the risks of prosecuting those claims through trial and appeal.

8. In 2012, I participated in discussions with respect to the potential partial settlement of this matter through conversations and email with my counsel. In particular, we discussed the potential difficulty of obtaining substantially greater amounts from the FG defendants from judgment or settlement and the possible dissipation or unavailability of their assets.

9. After careful consideration and deliberation, I authorized counsel to settle this action for \$80.25 million. The proposed Settlement is a very good recovery for the class under the circumstances. It provides immediate compensation to class members and avoids the risk of no recovery at all.

10. Counsel have explained to me that the Plan of Allocation seeks to allocate the settlement fund on a *pro rata* basis based on the net principal invested and lost by each class member. I believe that the Plan of Allocation is fair and reasonable and should be approved.

11. In determining the fairness of Lead Counsel's fee in this action, I considered the quality of counsel's representation of the class; the size of the recovery on behalf of the class; the difficult, complex and novel issues presented by the litigation, the enormous amount of time and effort devoted to the litigation by counsel

with no guarantee of payment; the advancing of costs in excess of \$1.4 million on a contingent basis. Based on these factors, I support Lead Counsel's current fee request of 25% of the \$50.25 million non-contingent Settlement Fund and for reimbursement of expenses.

12. This action involved both federal securities claims and state common law claims. I have been advised that the Private Securities Litigation Reform Act of 1995 provides for the reimbursement of costs and expenses (including lost wages) incurred or otherwise absorbed by a lead plaintiff in connection with services rendered in the litigation. I further understand that state law allows for the payment of incentive awards to encourage aggrieved persons, such as me, to act as class representative plaintiffs.

13. In fulfillment of my responsibilities as a named plaintiff and a class representative, I conservatively estimate that I devoted approximately 200 hours of time to this litigation including time spent:

- a. Discussing the facts surrounding the Bach Trust's investments in the Greenwich Sentry fund with counsel, reviewing and discussing complaints, motions and decisions filed in the action. I estimate that I spent approximately 40 hours on these tasks;
- b. I participated in the preparation of the class certification motion, including discussions and correspondence with counsel regarding the declaration submitted on behalf of the Bach Trust in support of that motion. I estimate that I spent approximately 15 hours on these tasks;
- c. I also spent a substantial amount of time responding to defendants'

discovery requests, including discussing and reviewing the discovery requests with counsel, searching for responsive documents and making copies to provide to counsel, discussions with counsel regarding a search of my electronically-stored information responsive to the defendants' discovery requests; discussions and correspondence with counsel in connection with providing interrogatory responses on behalf of the Bach Trust. I estimate that I spent approximately 100 hours on these tasks;

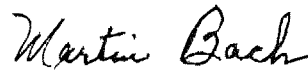
- d. I met with counsel in Arizona to review documents and prepare for a deposition in this action that lasted two days. I estimate that I spent approximately 40 hours on these tasks; and
- e. I consulted with counsel with respect to the settlement discussions and settlement. I estimate that I spent approximately 5 hours on these tasks.

14. Based on my records, I believe that 200 hours is a very conservative estimate of the time I spent on this matter to date. Based on the fact that professionals with my qualifications can earn over \$300 per hour, I consider that \$25,000 is a fair reimbursement for my activities on behalf of the Class and represents a significant discount to the amount of lost business opportunities I have foregone during these hours spent on the litigation as a class representative and plaintiff.

15. Accordingly, I respectfully request that the \$80.25 million cash settlement be approved as fair reasonable and adequate to the Class, that counsel be awarded their requested fees and expenses, that the Plan of Allocation be approved, and

that I be awarded \$25,000 as reimbursement for my lost business opportunities incurred as a result of my representation of the Class and as an incentive award for my efforts in this Action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 30th day of January, 2013 at Paradise Valley, Arizona.



Martin Bach