

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PASHA S. ANWAR, et al.,

Plaintiffs,

v.

FAIRFIELD GREENWICH LIMITED, *et al.*,

Defendants.

Master File No. 09-cv-118 (VM) (FM)

SUPPLEMENTAL AFFIDAVIT OF DANIEL J. POLIZZI

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

DANIEL J. POLIZZI, being first duly sworn, deposes and says:

1. I submit this supplemental affidavit to provide the Court with updated information regarding, among other things, the mailing of the Notice of Proposed Partial Settlement of Class Action and Settlement Fairness Hearing, and Motion for Attorneys' Fees and Reimbursement of Expenses (the "Notice") and Proof of Claim and Release Form (together, the "Notice Packet") and the receipt of additional requests for exclusion and objections. I am a Senior Project Administrator for Rust Consulting, Inc. ("Rust"), the Court-appointed Claims Administrator. I am over 21 years of age and am not a party to this Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. On January 31, 2013, I executed my original affidavit (the "January Affidavit") that was filed with the Court on February 1, 2013, attesting, among other things, to the mailing of the

Notice Packet and the publication of the Summary Notice twice in worldwide editions of *The Wall Street Journal* and the dissemination of the Summary Notice over *PR Newswire*.

3. As more fully stated in my January Affidavit (at ¶7), as of January 30, 2013, Rust had mailed a total of 2,145 Notice Packets to potential Class Members. Since my January Affidavit was executed, during the period from January 31, 2013 through March 7, 2013, inclusive, in response to correspondence or inquiries from potential Class Members and record holders, Rust has mailed an additional 72 Notice Packets to potential Class Members. Accordingly, as of March 7, 2013, we have mailed a total of 2,217 Notice Packets to potential Class Members.

4. In addition, pursuant to Paragraph 9 of the Preliminary Approval Order, record holders to whom Rust has mailed Notice Packets were instructed to make or obtain additional Notice Packets and to mail or email sets of the Notice Packets to beneficial owners who are additional potential Class Members.

5. As stated in my January Affidavit (at ¶10), Rust posted the Notice Packet, Stipulation of Settlement, and Preliminary Approval Order, among other documents, on a website dedicated to the Settlement (www.FairfieldGreenwichLitigation.com). As of March 7, 2013, the Website has had 3,734 total hits.

6. Rust has maintained a toll-free telephone hotline (1-855-263-3450), and a direct dial line for international callers (1-612-359-7949), with an Interactive Voice Response System (“IVR”) and live operators to assist potential Class Members with questions about the Settlement, as stated in my January Affidavit (at ¶12). As of March 7, 2013, Rust has received 159 calls on this line, of which 111 callers requested to speak with a live operator for assistance.

7. As stated in ¶13 of my January Affidavit, the Notice informed Class Members that the deadline for requesting exclusion from the Class was February 15, 2013. Rust has received a total of seven (7) timely and complete Requests for Exclusion from the Class. The names of these seven Persons are included in Exhibit A-1 to this Affidavit (to be filed under seal).

8. Rust also received two (2) timely but incomplete Requests for Exclusion from the Class, copies of which are included in Exhibits A-2 and A-3. These requests fail to provide the following information required by Paragraph 15 of the Court's November 30, 2012 Preliminary Approval Order:

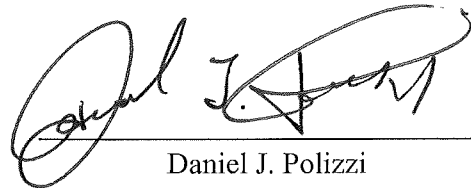
- (a) "the full name of the Fund(s) purchased";
- (b) "the date(s), number and dollar amount of shares or limited partnership interests purchased, and of any redemption transactions";
- (c) "the number of shares or limited partnership interests held by that Person in the Fund(s) as of December 10, 2008";
- (d) "documentary proof ... of all transactions in Fund shares or limited partnership interests"; and
- (e) a signature of the potential Class Member who is opting out.

9. In addition, as of March 7, 2013, Rust had received one (1) late Request for Exclusion from the Class, a copy of which is included as Exhibit A-4. Paragraph 14 of the Preliminary Approval Order required that any requests for exclusion "be received by the Claims Administrator ... on or before 35 days prior to the Settlement Hearing [i.e., February 15, 2013]." The one untimely request for exclusion was received on February 20, 2013.

10. Complete copies of all ten (10) Requests for Exclusion, including all supporting documentation, and a copy of each envelope or express label, were provided to Plaintiffs' Counsel Designee and Settling Defendants' Counsel Designee.

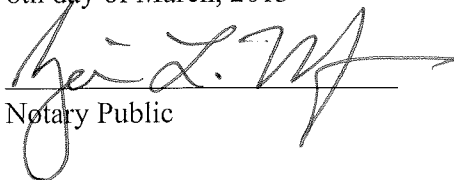
11. To date, Rust has received a total of 176 claim forms from Settlement Class Members. In our experience, the vast majority of claim forms are received shortly prior to the deadline for filing claims, which is April 17, 2013 in this case.

12. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Daniel J. Polizzi

Sworn to before me this
8th day of March, 2013



Notary Public



ZORINA L. MOORE
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE854584
Expires 11/28/2016

Exhibits A-1 through A-4 Filed Under Seal