

Anwar et al v. Fairfield Greenwich Limited et al

**SIMPSON THACHER & BARTLETT LLP**

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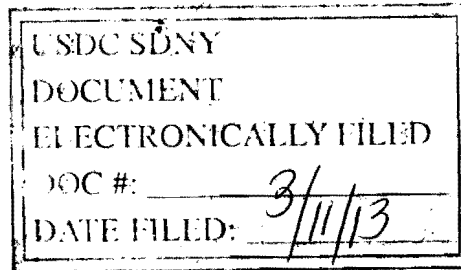
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BY FACSIMILE

March 8, 2013

Re: Anwar, et al. v. Fairfield Greenwich Limited, et al.,  
No. 09-cv-00118(VM) (S.D.N.Y.)

The Honorable Victor Marrero  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312



Dear Judge Marrero:

I write on behalf of certain Fairfield Greenwich affiliated defendants in regard to the Court's Order entered March 6, 2013 (ECF No. 1068, the "Order") in the above referenced action (the "Action") clarifying that the Court's Decision and Order entered February 25, 2013 granting in part Plaintiffs' motion for class certification (ECF No. 1052, the "Class Certification Order") "does not currently apply to the claims asserted by Plaintiffs against the Fairfield Greenwich Defendants" as a result of the stay previously imposed by the Court. Order at 1. In the Order, the Court defined the term "Fairfield Greenwich Defendants" to include only Fairfield Greenwich Limited ("FGL") and Fairfield Greenwich (Bermuda) Limited ("FGBL").

As I noted in my letter to the Court dated February 28, 2013, the proposed partial settlement of the Action preliminarily approved by the Court by Order dated November 30, 2013 (ECF No. 1008, "the Preliminary Approval Order") provides for the dismissal and release of all claims asserted against *all* of the FG Defendants (as defined in the Stipulation of Settlement dated as of November 6, 2012). Accordingly, the Court-imposed stay applies to each of the FG Defendants, not only FGL and FGBL. See Preliminary Approval Order ¶ 30.

Therefore, we respectfully request the Court to enter the proposed order enclosed herewith (the "Proposed Order") clarifying that the Class Certification Order does not currently apply to the claims asserted by Plaintiffs in the Action against FGL, FGBL, as well as each and all of Fairfield Greenwich Group, Fairfield Greenwich Advisors LLC,

**SIMPSON THACHER & BARTLETT LLP**

The Honorable Victor Marrero

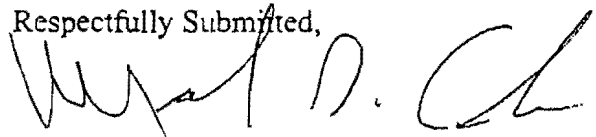
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March 8, 2013

Fairfield Risk Services Ltd., Fairfield Heathcliff Capital LLC, Fairfield Greenwich (UK) Limited, Walter M. Noel, Jr., Jeffrey H. Tucker, Andrés Piedrahita, Lourdes Barreneche, Robert Blum, Cornelis Boele, Gregory Bowes, Vianney d'Hendecourt, Yanko Della Schiava, Harold Greisman, Jacqueline Harary, David Horn, Richard Landsberger, Daniel E. Lipton, Julia Luongo, Mark McKeefry, Charles Murphy, Corina Noel Piedrahita, Maria Teresa Pulido Mendoza, Santiago Reyes, Andrew Smith, Philip Toub and Amit Vijayvergiya (collectively, the "FG Entity and Individual Defendants").


Counsel for Plaintiffs have reviewed this letter and the Proposed Order and join in our request.

Respectfully Submitted,



Mark G. Cunha

cc: Counsel in Anwar (by email)

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by	
<i>FG Entity and Individual Defendants</i>	
<b>SO ORDERED.</b>	
<i>3-11-13</i>	
DATE	VICTOR MARRERO, U.S.D.J.