

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANWAR, et al.,		X
		:
	Plaintiffs	:
		:
	v.	:
		:
FAIRFIELD GREENWICH LIMITED, et al.,		:
		:
	Defendants.	:
		:
This Document Relates To: All Actions		X
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ECF CASE
Electronically Filed
Master File No.:
08 CV 00118 (VM, THK)

**DECLARATION OF JONATHAN D. COGAN IN SUPPORT OF
GLOBEOP FINANCIAL SERVICES LLC'S MOTION TO DISMISS
THE SECOND CONSOLIDATED AMENDED COMPLAINT**

I, Jonathan D. Cogan, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am an attorney admitted to practice law in the State of New York and a member of the bar of this Court. I am a Partner with Kobre & Kim LLP, counsel for defendant GlobeOp Financial Services LLC ("GlobeOp") in the above-captioned matter. I respectfully submit this Declaration in support of GlobeOp's motion for an Order dismissing the Second Consolidated Amended Complaint in this action (the "Complaint" or "Compl.") as against GlobeOp.

2. A true and correct copy of the Greenwich Sentry L.P. Confidential Offering Memorandum dated May 2006, as attached to Plaintiffs' Consolidated Amended Complaint filed in the above-captioned action on April 24, 2009 and referenced in their Second Consolidated Amended Complaint, is attached hereto as Exhibit A.

3. A true, correct, and partially redacted copy of the Administrative Services Agreement (the "ASA") entered into by GlobeOp, Fairfield Greenwich (Bermuda), Ltd., and Greenwich Sentry L.P., dated October 31, 2003, is attached hereto as Exhibit B.¹

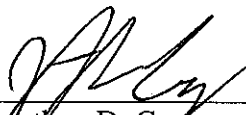
4. A true and correct copy of the summons and complaint filed in *David I. Ferber SEP IRA v. Fairfield Greenwich Group, et al.*, Index. No. 600469/2009 (N.Y. Sup. Ct.), dated February 13, 2009, is attached hereto as Exhibit C.

5. A true and correct copy of Judge Richard B. Lowe's Order compelling arbitration in *David I. Ferber SEP IRA v. GlobeOp Financial Services LLC*, Index No. 601251/2009 (N.Y. Sup. Ct.), dated November 5, 2009 and filed November 9, 2009, is attached hereto as Exhibit D.

6. A true and correct copy of the Plea Allocution of Bernard L. Madoff in *United States v. Bernard L. Madoff*, Index No. 09 Cr. 213 (DC) (S.D.N.Y.), dated March 12, 2009, is attached hereto as Exhibit E.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed the 22nd day of December 2009, in New York, New York.


Jonathan D. Cogan

¹ GlobeOp is unable to include as an exhibit an unredacted version of the ASA because the ASA contains a confidentiality provision that implies that GlobeOp needs permission from the other parties to the ASA to produce copies of the ASA absent a court order or subpoena. The Fund and the general partner, Fairfield Greenwich (Bermuda), Ltd. consented only to the production of a redacted version of the ASA, which is attached hereto. *If the Court believes that it would be useful in assessing any of GlobeOp's arguments to review an unredacted version of the ASA, we respectfully request that the Court order GlobeOp to provide it in camera or subject to an appropriate confidentiality order.*