

UNDS BONY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1-5-10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
----- X  
PASHA S. ANWAR, et al., :  
 :  
 : Plaintiffs, :  
 :  
 : - against - :  
 :  
 : FAIRFIELD GREENWICH LIMITED, :  
 : et al., :  
 :  
 : Defendants. :  
----- X

09 Civ. 0118 (VM)

**ORDER**

VICTOR MARRERO, United States District Judge.

The plaintiffs in this matter request (see attached letter) an extension of time to file oppositions to motions to dismiss the Second Consolidated Amended Complaint and authorization to exceed the Court's usual page limits for briefs.

Accordingly, it is hereby:

**ORDERED** that plaintiffs have until March 8, 2010, to file oppositions papers in connection with the motions to dismiss; and it is further

**ORDERED** that plaintiffs may file briefs in connection with the motions to dismiss the Second Consolidated Amended Complaint as follows: (1) Fairfield motions -- 76, 15 and 22 pages; (2) Citco motions -- 60 pages; (3) Pricewaterhouse motions -- 60 pages; and it is further

**ORDERED** that defendants' reply briefs shall be proportionate to the Court's order of December 21, 2009 (Docket No. 312).

SO ORDERED.

Dated: New York, New York  
5 January 2010



VICTOR MARRERO  
U.S.D.J.

December 31, 2009

ORIGINAL

- 2010

**VIA HAND DELIVERY**

Judge Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Anwar, et al. v. Fairfield Greenwich Limited, et al.*  
Master File No. 09-CV-00118 (VM)(THK)

Dear Judge Marrero:

We are writing on behalf of Interim Co-Lead Counsel for plaintiffs in these consolidated actions to request an extension of time to file our opposition to the motions to dismiss and to seek authorization with respect to page length for briefing.

All defendants filed motions to dismiss on December 22, 2009. In accordance with the Court's Order of December 21, 2009, the Fairfield-related defendants (some 27 parties) filed three briefs in support of their motions, which were 76, 15 and 22 pages in length. The three PricewaterhouseCoopers defendants, each represented by a different law firm, filed three briefs totaling 71 pages.<sup>1</sup> Six Citco defendants, all represented by the same two law firms, filed four briefs totaling 90 pages,<sup>2</sup> while a Citco-related individual (Brian Francoeur) with separate counsel filed a 7-page brief. Two other corporate defendants (Lion Fairfield Capital Management and GlobeOp Financial Services) each filed separate 25-page briefs.

Plaintiffs are thus faced with digesting and opposing briefs totaling some 330 pages, together with approximately 3240 pages of supporting affidavits and exhibits. Much of this material is repetitive or addresses essentially the same arguments, and plaintiffs intend to make every effort to oppose the motions by organizing our papers as

---

<sup>1</sup> PwC International Ltd. (22 pages); PwC LLP (25 pages); PwC Accountants N.V. (24 pages).

<sup>2</sup> Citco Group Ltd. (23 pages); Citco Bank Nederland N.V. and Citco Global Custody N.V. (25 pages); Citco Fund Services (Europe) B.V. and Citco (Canada) Inc. (25 pages); Citco Fund Services (Bermuda) Ltd. and Ian Pilgrim (17 pages).

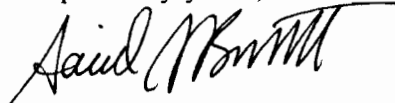
Judge Victor Marrero  
December 31, 2009  
Page 2

concisely and efficiently as possible. Nevertheless, given the volume of defendants' submissions, we request a 30-day extension of time to file the opposition papers from February 5, 2010 (45 days after motions were filed, per paragraph 7 of the March 11, 2009 Scheduling Order) to March 8, 2010.<sup>3</sup> Counsel for many of the defendants, including the Citco and PricewaterhouseCoopers defendants and most of the Fairfield defendants, have consented to the requested extension; due to the holidays, several defendants have been unavailable to respond.

The December 21, 2009 Order provides that plaintiffs' briefs in opposition to the motions of the Fairfield-related defendants are subject to the same page limits as allowed for the moving briefs. Plaintiffs respectfully request that in response to the multiple briefs of the Citco and PricewaterhouseCoopers defendants, we have the opportunity to file one brief of up to 60 pages as to each of those groups; and we would respond to Fairfield Lion and GlobeOp briefs within the standard page limits. Plaintiffs will make every effort to combine and cross-reference arguments to facilitate the Court's review, and to keep the number and length of briefs well under the requested limits.

Finally, plaintiffs respectfully request that the Court set appropriate page limits for reply briefs consistent with the December 21, 2009 Order.

Respectfully yours,



David A. Barrett

cc: All counsel in *Anwar*

---

<sup>3</sup> With this extension, plaintiffs would be afforded some 76 days to prepare opposition papers, compared to 84 days which defendants had to file motions to dismiss after service of the Second Consolidated Amended Complaint on September 29, 2009.