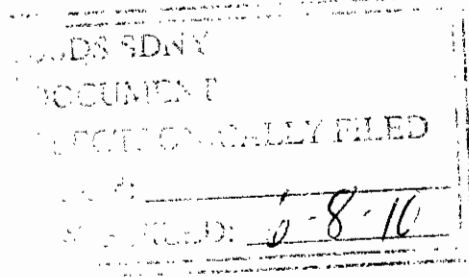
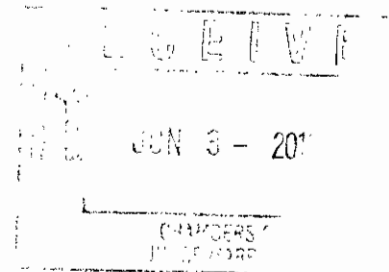


June 2, 2010

**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 with respect to defendants' pending motions to dismiss. We respectfully request leave to file a single sur-reply brief in further opposition to these motions, of not more than 20 pages in length by June 15, 2010.

The reason for this request is that in the ten-week period since plaintiffs filed their opposition papers on March 23, 2010, there have been a substantial number of court decisions and other developments relating to the arguments raised in connection with the motions. The defendants cited and discussed these intervening developments extensively in their reply briefs. Plaintiffs should have an opportunity to address new cases and related developments as well as arguments raised for the first time in defendants' replies.

We believe that a single sur-reply of up to 20 pages is appropriate in light of defendants having filed 11 reply briefs totaling 126 pages, along with several new declarations.<sup>1</sup>

<sup>1</sup> We also note that the Court directed in its Order of January 5, 2010 that "reply briefs shall be proportionate to the Court's order of December 21, 2009." The December 21 Order in turn allowed for a reply brief that was 40 percent of the length of the principal brief in question (this is the same proportion allowed by the Court's Individual Practices for reply briefs generally). The total length of the multiple reply briefs filed by the Citco and PricewaterhouseCoopers defendants, however, significantly exceeds this limit on a proportional basis.

Judge Victor Marrero  
June 2, 2010  
Page 2

We have conferred with counsel for defendants concerning this request and have been unable to reach agreement. Thank you for your consideration.

Respectfully yours,



David A. Barrett

cc: All counsel in *Anwar*

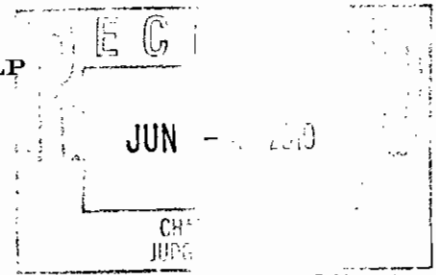
Request GRANTED in part. Plaintiffs are authorized to file a sur-reply brief not to exceed 12 pages limited to new decisions and legal developments arising after the filing of plaintiff's response brief. The Court will of its own motion disregard new arguments raised by defendants in their reply briefs.

6-8-10  
DATE VICTOR MARRERO, U.S.D.J.

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BY HAND

June 3, 2010

Re: *Anwar, et al. v. Fairfield Greenwich Limited, et al.*,  
Master File No. 09-CV-0118 (VM)

Hon. Victor Marrero  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Dear Judge Marrero:

We write as counsel for defendant Fairfield Greenwich Advisors LLC and other Fairfield defendants in the above-referenced *Anwar* action in response to the June 2, 2010 letter to Your Honor from plaintiffs' counsel, David Barrett, seeking leave to file a 20-page sur-reply in further opposition to defendants' motions to dismiss.

We advised Mr. Barrett prior to sending his letter that we had heard from most defendants, and would not oppose an application by plaintiffs seeking leave to file a sur-reply of up to 10 pages limited to a discussion of cases decided subsequent to the filing of plaintiffs' briefs in opposition on the motions to dismiss, provided that plaintiffs agree not to oppose a short subsequent submission by defendants in the event that additional relevant cases are decided before the decision on the motions to dismiss. Nothing in Mr. Barrett's letter changes defendants' view in this regard. While he seeks leave to address "arguments raised for the first time in defendants' replies," he does not identify any such arguments in his letter, nor did he do so in his communications with us prior to sending his letter.

We also note that of the three briefs filed by the Fairfield-related defendants, only one cites court decisions published since the filing of the plaintiffs' brief in opposition, and the discussion of those decisions spans only 5 pages, at pp. 1 and 6-9 of the Fairfield defendants' principal reply brief.

Respectfully submitted,

Mark G. Cunha

Hon. Victor Marrero

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June 3, 2010

cc: United States Magistrate Judge Theodore H. Katz (by hand)  
All Counsel in *Anwar* (by email)