

EXHIBIT A

SIMPSON THACHER & BARTLETT LLP

425 LEXINGTON AVENUE
NEW YORK, N.Y. 10017-3954
(212) 455-2000

FACSIMILE (212) 455-2502

DIRECT DIAL NUMBER

E-MAIL ADDRESS

212-455-3475

mcunha@stblaw.com

BY HAND

January 28, 2010

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

Hon. Theodore H. Katz
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Dear Judge Katz:

We write as counsel for Fairfield Greenwich Advisors LLC and certain other Fairfield defendants concerning the January 25, 2010 letter to the Court from Sharon Nelles, counsel for the Standard Chartered defendants, and the Proposed Initial Scheduling Order Regarding Standard Chartered Cases (“Proposed Scheduling Order”) attached thereto.

The Proposed Scheduling Order encompasses three cases that have been consolidated into *Anwar*. One of those cases, *Headway*, asserts claims against Fairfield defendants whom we represent in that case. Through what we assume was inadvertence, we were not consulted on the Proposed Scheduling Order, and we write to alert the Court that certain aspects of the Proposed Scheduling Order directly conflict with orders in *Anwar*, including Your Honor’s Civil Case Management Plan and Scheduling Order entered on March 11, 2009 (“CMO”), providing that defendants are not required to respond to individual complaints in cases that have been consolidated with *Anwar* (Docket Entry No. 69). The CMO applies to *Headway*, which was consolidated with *Anwar* on October 14, 2009 (Docket Entry No. 282).¹

¹ As noted in our letters to Your Honor dated November 6, 2009 and December 16, 2009 (annexed hereto as Exhibits A and B, respectively), a separate schedule for *Headway* would not only be contrary to the CMO and the *Headway* consolidation order, but also would undermine the purpose behind the decision of the Judicial Panel on Multidistrict Litigation to centralize *Headway* and the consolidated *Anwar* action in this District pursuant to 28 U.S.C. §1407. See *In re Fairfield Greenwich Group Sec. Litig.*, 655 F. Supp. 2d 1352, 1353 (J.P.M.L. 2009) (Centralization would “eliminate duplicative discovery; avoid inconsistent pretrial rulings; and conserve the resources of the parties, their counsel and the judiciary.”).

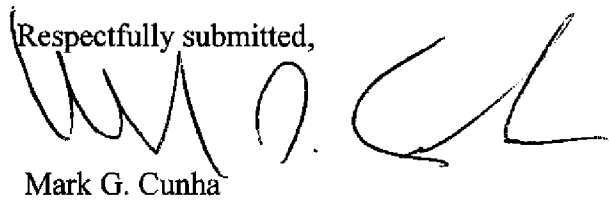
Hon. Theodore H. Katz, Esq.

-2-

January 28, 2010

In response to the January 25 letter and Proposed Scheduling Order, we have initiated discussions with counsel for the other parties in the cases proposed to be governed by the Order, and will report promptly to Your Honor regarding the outcome of those discussions. In the meantime, we respectfully request that the Court not endorse the Proposed Scheduling Order, or any other scheduling order encompassing *Headway*, until we have had the opportunity to explore with other counsel a mutually agreeable resolution of the conflict posed by the Proposed Scheduling Order as presently written.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M.G. Cunha', is written over the typed name. The signature is fluid and cursive.

Mark G. Cunha

cc: The Honorable Victor Marrero (by hand)
Counsel for all parties (by email)