

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ANWAR, et al.,
Plaintiffs,
v.
FAIRFIELD GREENWICH LIMITED, et al.,
Defendants.
This Document Relates To: All Actions
MASTER FILE NO. 09-CV-0118 (VM)

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants' respectfully request that the Court consider six recent decisions as supplemental authority in support of their motions to dismiss Plaintiffs' Second Consolidated Amended Complaint ("SCAC").

- Romano v. Kazacos, Nos. 08-cv-6187, 08-cv-6190, 2010 WL 2574143 (2d Cir. June 29, 2010), attached as Exhibit A.
Cornwell v. Credit Suisse Group, 08 Civ. 3758 (S.D.N.Y. July 27, 2010), attached as Exhibit B, and Tradex Global Master Fund v. Rieden, No. 09 Civ. 6395 (S.D.N.Y. July

1 This Notice is submitted jointly on behalf of Fairfield Greenwich Ltd., Fairfield Greenwich (Bermuda) Ltd., Fairfield Greenwich Advisors LLC, Fairfield Risk Services Ltd., Fairfield Heathcliff Capital LLC, Daniel Lipton, Mark McKeefry, Walter Noel, Andrés Piedrahita, Jeffrey Tucker, Amit Vijayvergiya, Lourdes Barreneche, Yanko Della Schiava, Vianney d'Hendecourt, Jacqueline Harary, Harold Greisman, Julia Luongo, Maria Teresa Pulido Mendoza, Corina Piedrahita, Santiago Reyes, Philip Toub, David Horn, Robert Blum, Cornelis Boele, Richard Landsberger, Charles Murphy, Andrew Smith, Brian Francoeur, Ian Pilgrim, Citco Fund Services (Europe) B.V., Citco (Canada) Inc., Citco Global Custody N.V., Citco Bank Nederland N.V. Dublin Branch, Citco Fund Services (Bermuda) Ltd., PricewaterhouseCoopers LLP ("PwC Canada"), PricewaterhouseCoopers Accountants Netherlands N.V. ("PwC Netherlands") and PricewaterhouseCoopers International Limited ("PwC International").

23, 2010), attached as Exhibit C. The decisions by Your Honor and Judge Daniels, respectively, are relevant to Defendants' argument that the federal securities law claims asserted by plaintiffs who purchased stock in Fairfield Sentry Limited and Fairfield Sigma Limited must be dismissed in light of *Morrison v. National Australian Bank*, No. 09-1191, 2010 WL 2518523 (June 24, 2010).

- *MLSMK Investments Co. v. JP Morgan Chase & Co.*, 09 Civ. 4049 (BSJ) (S.D.N.Y. July 15, 2010), attached as Exhibit D. The decision by Judge Jones is relevant to Defendants' argument that Plaintiffs have not adequately pled scienter, as is required for their federal securities law claims and their common law fraud claims.
- *Continental Casualty Co. v. PricewaterhouseCoopers, LLP*, 2010 WL 2569187 (N.Y. June 29, 2010), attached as Exhibit E. The New York Court of Appeals' decision is relevant to Defendants' argument that Plaintiffs lack standing to bring their common law claims.
- *Starr Foundation v. American International Group, Inc.*, 901 N.Y.S.2d 246 (App. Div. - 1st May 27, 2010), attached as Exhibit F. The New York appellate court's decision is relevant to Defendants' argument that Plaintiffs' "holder" claims should be dismissed.

Dated: New York, New York
July 28, 2010

SIMPSON THACHER & BARTLETT LLP

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