

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor,

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SAUL B. KATZ, et al.,

Defendants.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05287 (BRL)

11 Civ. 03605 (JSR) (HBP)

**DECLARATION OF REGINA L. GRIFFIN IN SUPPORT OF TRUSTEE'S
OPPOSITION TO DEFENDANTS' MOTION IN LIMINE TO EXCLUDE STERLING
STAMOS DOCUMENTS**

Baker & Hostetler LLP

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New York, NY 10111
(212) 589-4200

*Attorneys for Irving H. Picard, Esq., Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC And Bernard L. Madoff*

I, REGINA L. GRIFFIN, declare pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am an attorney with the firm Baker & Hostetler LLP, counsel to Irving H. Picard, Esq. (“Trustee”), the trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and Bernard L. Madoff. I submit this declaration in support of the Trustee’s Opposition to Defendants’ Motion *in limine* to Exclude Sterling Stamos Documents. I am personally familiar with the facts set forth herein.
2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the deposition transcript of Kevin Barcelona, dated December 15, 2011.
3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the 30(b)(6) deposition transcript of Kevin Barcelona, dated January 12, 2012.
4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the deposition transcript of Noreen Harrington, dated December 30, 2011.
5. Attached hereto as Exhibit 4 are true and correct copies of excerpts from the deposition testimony of Basil Stamos, dated January 3, 2012.
6. Attached hereto as Exhibit 5 are true and correct copies of excerpts from the deposition testimony of Chris Stamos, dated January 4, 2012.
7. Attached hereto as Exhibit 6 are true and correct copies of excerpts from the Bankruptcy Rule 2004 deposition testimony of Peter Stamos, dated August, 19, 2010.
8. Attached hereto as Exhibit 7 are true and correct copies of excerpts from the deposition testimony of Peter Stamos, dated January 5, 2012.

9. Attached hereto as Exhibit 8 is a true and correct copy of Sterling Stamos Capital Management, L.P. Firm Overview, Confidential Presentation, dated July 2005 bearing Bates nos. SSMT01876757-88. (Trustee's Dep. Ex. 110.)
10. Attached hereto as Exhibit 9 is a true and correct copy of Sterling Stamos Company Overview, Confidential Presentation, dated February 2005 bearing Bates nos. SSMT00025935-SSMT00026059. (Trustee's Dep. Ex 111.)
11. Attached hereto as Exhibit 10 is a true and correct copy of a document bearing Bates nos. SE_T954398-SE_T954399. (Trustee's Dep. Ex. 165.)
12. Attached hereto as Exhibit 11 is true and correct copy of a February 2004 confidential presentation by Sterling Stamos bearing Bates nos. SE_T954272-SE_T954315. (Trustee's Dep. Ex. 187.)
13. Attached hereto as Exhibit 12 is a true and correct copy of an email from Noreen Harrington to Kevin Barcelona, dated December 15, 2008 bearing Bates no. SSMT00906963. (Trustee's Dep. Ex. 227.)
14. Attached hereto as Exhibit 13 is a true and correct copy of an email bearing Bates nos. SSMT00847959 (Trustee's Dep. Ex. 233)
15. Attached hereto as Exhibit 14 is a true and correct copy of an email bearing Bates nos. SSMT00934640-SSMT00934642 (Trustee's Dep. Ex. 234)
16. Attached hereto as Exhibit 15 is a true and correct copy of an email bearing Bates nos. SSMT00934636-SSMT00934639 (Trustee's Dep. Ex. 235)
17. Attached hereto as Exhibit 16 is a true and correct copy of an email bearing Bates nos. SSMT01089343 (Trustee's Dep. Ex. 236)

18. Attached hereto as Exhibit 17 is a true and correct copy of an email bearing Bates nos. SSMT00960990 (Trustee's Dep. Ex. 237)
19. Attached hereto as Exhibit 18 is a true and correct copy of an email bearing Bates nos. SSMT00877890-SSMT00877891 (Trustee's Dep. Ex. 238)
20. Attached hereto as Exhibit 19 is a true and correct copy of an email bearing Bates nos. SSMT00801965-SSMT00801966 (Trustee's Dep. Ex. 239)
21. Attached hereto as Exhibit 20 is a true and correct copy of an email bearing Bates nos. SSMT00824644-SSMT00824645 (Trustee's Dep. Ex. 240)
22. Attached hereto as Exhibit 21 is a true and correct copy of an email bearing Bates nos. SSMT00961098-SSMT00961102 (Trustee's Dep. Ex. 241)
23. Attached hereto as Exhibit 22 is a true and correct copy of an email bearing Bates nos. SSMT01061630-SSMT01061632 (Trustee's Dep. Ex. 242)
24. Attached hereto as Exhibit 23 is a true and correct copy of an email bearing Bates nos. SSMT01195993 (Trustee's Dep. Ex. 243)
25. Attached hereto as Exhibit 24 is a true and correct copy of an email from Steven Novick at Merrill Lynch to Adam Seymour at the Qatar Investment Authority, dated December 8, 2005, attaching a Sterling Stamos Due Diligence Questionnaire bearing Bates nos. SSMT01855447-SSMT0185554. (Trustee's Dep. Ex. 257.)
26. Attached hereto as Exhibit 25 is a true and correct copy of the Marketing Supplement to the Sterling Stamos Limited Partnership Agreement, dated October 2004 bearing Bates no. SSMT01238214-SSMT01238266. (Trustee's Dep. Ex. 308.)

27. Attached hereto as Exhibit 26 is a true and correct copy of an email from Mark Thompson to Ashok Chachra, dated December 16, 2008 bearing Bates nos. SSMT00934925-SSMT00934931. (Trustee's Dep. Ex. 329.)
28. Attached hereto as Exhibit 27 is a true and correct copy of an email from Ashok Chachra to Peter Stamos, dated December 13, 2008 bearing Bates nos. SSMT01194929-SSMT01194931. (Trustee's Dep. Ex. 330.)
29. Attached hereto as Exhibit 28 is a true and correct copy of a draft of Sterling Stamos employee biographies. (SSKW00003866 - SSKW00003873.)
30. Attached hereto as Exhibit 29 is a true and correct copy of "company blurb" describing Sterling Stamos. (SSKW00001697.)
31. Attached hereto as Exhibit 30 is a true and correct copy of an email from Richard Stockton to Peter Stamos, dated March 5, 2003. (SE_T954253.)
32. Attached hereto as Exhibit 31 is a DeMarche Associates Hedge Fund Manager Questionnaire, dated February 1, 2005. (SSMT00184407-SSMT00184431.)
33. Attached hereto as Exhibit 32 is a true and correct copy of an email from David Katz to Chris Stamos, dated December 20, 2004. (SSKW00003308.)
34. Attached hereto as Exhibit 33 is a true and correct copy of an email from Ashok Chachra to Saul B. Katz, Peter Stamos, and Noreen Harrington, dated November 27, 2002. (SSMT01227372.)
35. Attached hereto as Exhibit 34 is a true and correct copy of an email from Peter Stamos to Saul B. Katz and David Katz, dated November 29, 2004. (SE_T680399.)
36. Attached hereto as Exhibit 35 is a true and correct copy of an email from Scott Witcher to Chris Stamos and Kevin Okimoto, dated May 11, 2004, attaching a

memorandum from Sterling Stamos to Merrill Lynch. (SSMT01316377-SSMT01316381.)

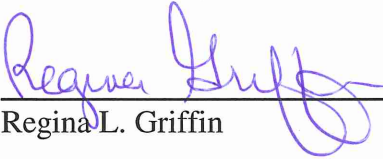
37. Attached hereto as Exhibit 36 is a true and correct copy of an email from Peter Stamos to Ashok Chachra, Kevin Okimoto, Ellen T. Horing, John D. Shuck, David Katz, Saul B. Katz, and Spiro Stamos, dated October 25, 2002. (SSMT02256345.)
38. Attached hereto as Exhibit 37 is a true and correct copy of a Prudential Financial Partnership Account Agreement, dated July 3, 2002. (SE_T954236.)
39. Attached hereto as Exhibit 38 is a true and correct copy of a Sterling Stamos Management Meeting Agenda, dated October 9, 2006, and Sterling Stamos Management Meeting Minutes, dated September 25, 2006. (SE_T668730 - SE_T668736.)
40. Attached hereto as Exhibit 39 is a true and correct copy of a Sterling Stamos Management Meeting Agenda, dated April 16, 2007, and Sterling Stamos Management Meeting Minutes, dated March 26, 2007. (SE_T668814 - SE_668817.)
41. Attached hereto as Exhibit 40 is a true and correct copy of an email from Ralph D. Sinsheimer to Peter Stamos, dated December 12, 2008. (SSMT01089216-SSMT01089218.)
42. Attached hereto as Exhibit 41 is a true and correct copy of an email from Brian Gell to Peter Stamos, dated December 19, 2008. (SSMT01062442-SSMT01062444.)
43. Attached hereto as Exhibit 42 is a true and correct copy of an email from Ashok Chachra to Janice Yu, dated December 16, 2008. (SSMT01061678-SSMT01061682.)

44. Attached hereto as Exhibit 43 is a true and correct copy of an email from Ralph D. Sinsheimer to Rick Stockton and Ashok Chachra, dated December 17, 2008.
(SSMT01035963-SSMT01035964.)
45. Attached hereto as Exhibit 44 is a true and correct copy of an email from Peter Stamos to Rick Stockton and Ashok Chachra, dated December 12, 2008.
(SSMT00802069.)
46. Attached hereto as Exhibit 45 is a true and correct copy of an email from Jessie Garton to Michael Pascale and others, dated December 23, 2008. (SSMT02403787-SSMT02403795.)
47. Attached hereto as Exhibit 46 is a true and correct copy of an email from Kevin Barcelona to Rick Stockton and Kristina Brenner, dated December 31, 2008, attaching Ascot Gabriel Ariel Analysis. (SSMT02332853-SSMT02332885.)
48. Attached hereto as Exhibit 47 is a true and correct copy of a letter from Jim Vos and Jake Walthour to "Clients and Friends." (SSMT02321484-SSMT02321485.)
49. Attached hereto as Exhibit 48 is a true and correct copy of an email from Janice Yu to Jia Ou-Yang, dated December 31, 2008. (SSMT01064719.)
50. Attached hereto as Exhibit 49 is a true and correct copy of an email from Suzanne Payne to Victoria Bailey, dated December 19, 2008. (SSMT01011307-SSMT01011308.)
51. Attached hereto as Exhibit 50 is a true and correct copy of an email from Jia Ou-Yang to Frank Wang and others, dated December 12, 2008. (SSMT01010357-SSMT01010364.)

52. Attached hereto as Exhibit 51 is a true and correct copy of an email from Peter Stamos to Kevin Okimoto and Ashok Chachra, dated December 12, 2008.
(SSMT01010532.)
53. Attached hereto as Exhibit 52 is a true and correct copy of Sterling Stamos Capital Management, L.P. July 2005 Compliance Manual. (SSKW00011837-886.)
54. Attached hereto as Exhibit 53 is a true and correct copy of a document bearing Bates nos. SSMT01238318-SSMT01238366.
55. Attached hereto as Exhibit 54 is a true and correct copy of document bearing Bates nos. SSMT02106309-SSMT02106344.
56. Attached hereto as Exhibit 55 is a true and correct copy of a document bearing Bates nos. SSMT02287742-SSMT02287761.
57. Attached hereto as Exhibit 56 is a true and correct copy of a document bearing Bates no. SSKW00002397.
58. Attached hereto as Exhibit 57 is a true and correct copy of a document bearing Bates no. SSMT01064123.
59. Attached hereto as Exhibit 58 is a true and correct copy of a document bearing Bates No. SSKW00014443.
60. Attached hereto as Exhibit 59 is a true and correct copy of a document bearing Bates No. SSKW00000053-SSKW00000104.
61. Attached hereto as Exhibit 60 is a true and correct copy of a document bearing Bates No. SE_954254-SE_954259.
62. Attached hereto as Exhibit 61 is a true and correct copy of the Privilege Log submitted to Baker & Hostetler by the Sterling Equities Defendants.

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

Dated: March 12, 2012
New York, New York

By: 
Regina L. Griffin