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

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

<p>In re:</p> <p>BERNARD L. MADOFF INVESTMENT          SECURITIES LLC,            Debtor,</p>	<p>Adv. Pro. No. 08-01789 (BRL)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>IRVING H. PICARD, Trustee for the Liquidation of          Bernard L. Madoff Investment Securities LLC,            Plaintiff,</p> <p>v.</p> <p>SAUL B. KATZ, et al.,            Defendants.</p>	<p>Adv. Pro. No. 10-05287 (BRL)</p> <p>11-cv-03605-JSR</p>

**NOTICE OF MOTION TO STRIKE THE EXPERT REPORT AND TESTIMONY OF  
 JOHN MAINE**

PLEASE TAKE NOTICE that Irving H. Picard (“Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”), by and through his undersigned counsel, will hereby move this Court, before the Honorable Jed. S. Rakoff, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY, at 4:00pm on February 23, 2012 for an Order pursuant to Rule 702 of the Federal Rules of Evidence, striking the report and testimony of John Maine, who has been offered by Defendants as an expert in the above-captioned matter.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s direction, the Trustee’s moving papers shall be served and filed on or before January 26, 2012, answering papers shall be served and filed on or before February 9, 2012, and reply papers shall be served and filed on or before February 16, 2012. Oral Argument on the Motion is currently scheduled for February 23, 2012 at 4:00 p.m. as directed by the Court.

Date: January 20, 2012  
New York, New York

By: /s/ David J. Sheehan  
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