

CLOSED, ECF, PRIOR

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:09-cr-00213-DC-1

Case title: USA v. Madoff

Date Filed: 03/10/2009

Magistrate judge case number: 1:08-mj-02735-UA

Date Terminated: 06/29/2009

Assigned to: Judge Denny Chin

Defendant (1)**Bernard L. Madoff***TERMINATED: 06/29/2009*represented by **Daniel James Horwitz**

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Pending Counts

MANIPULATIVE AND DECEPTIVE
 DEVICES - (Title 15 U.S.C. Sections
 78j(b) and 78ff; Title 17, Code of
 Federal Regulations, Section 240.10b-5;
 Title 18 U.S.C. Section 2.)

(1)

DISCLOSURE OF INFORMATION
 BY COMMISSION - (Title 15 USC
 Sections 80b-6 and 80b-17; Title 18
 USC Section 2.)

(2)

FRAUDS AND SWINDLES - (Title 18
 USC Sections 1341 and 2.)

(3)

FRAUD BY WIRE, RADIO, OR
 TELEVISION - (Title 18 USC Sections
 1343 and 2.)

(4)

MONEY LAUNDERING -
 INTERSTATE COMMERCE - (Title
 18 USC Sections 1956(a)(2)(A) and 2.)

(5)

MONEY LAUNDERING -
 INTERSTATE COMMERCE - (Title
 18 USC Sections 1956(a)(1)(B)(i) & (f)
 and 2.)

(6)

MONEY LAUNDERING - (Title 18
 USC Sections 1957 and 2.)

(7)

False Statements - (Title 18 U.S.C.
 Section 1001(a).)

(8)

PERJURY GENERALLY

(9)

ACCOUNTS AND RECORDS,
 REPORTS, EXAMINE EXCHANGE -

Disposition

Imprisonment: 240 Months; Supervised
 Release: 3 Years

Imprisonment: 60 Months; Supervised
 Release: 3 Years

Imprisonment: 240 Months; Supervised
 Release: 3 Years

Imprisonment: 240 Months; Supervised
 Release: 3 Years

Imprisonment: 240 Months; Supervised
 Release: 3 Years

Imprisonment: 240 Months; Supervised
 Release: 3 Years

Imprisonment: 120 Months; Supervised
 Release: 3 Years

Imprisonment: 60 Months; Supervised
 Release: 3 Years

Imprisonment: 60 Months; Supervised
 Release: 3 Years

(Title 15 U.S.C. Sections 78q(e) and 78ff; Title 17, Code of Federal Regulations, Sections 240.17a-5, 240.17a-13 and 210.2-01; Title 18 U.S.C. Section 2.)
(10)

Imprisonment: 240 Months; Supervised Release: 3 Years

THEFT OR EMBEZZLEMENT FROM EMPLOYEE BENEFIT PLAN - (Title 18 USC Sections 664 and 2.)
(11)

Imprisonment: 60 Months; Supervised Release: 3 Years

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

15 U.S.C. 78j (b), 78ff, 17 C.F.R. 240.10b-5 (SECURITIES FRAUD)

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
12/11/2008	1	COMPLAINT as to Bernard L. Madoff (1). In Violation of 15 U.S.C. 78j (b), 78ff; 17 C.F.R. 240.10b-5 (Securities Fraud) (Signed by Judge Magistrate Judge Douglas F. Eaton) (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008		Arrest of Bernard L. Madoff. (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008	2	NOTICE OF ATTORNEY APPEARANCE: Retained Attorney Daniel James Horwitz appearing for Bernard L. Madoff. (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008	3	NOTICE OF ATTORNEY APPEARANCE: Retained Attorney Nicole Pappas De Bello appearing for Bernard L. Madoff. (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008		Minute Entry for proceedings held before Magistrate Judge Douglas F. Eaton:Initial Appearance as to Bernard L. Madoff held on 12/11/2008., with Retained Attorney Daniel J. Horwitz and Nicole P. De Bello and AUSA Marc Litt for the government. 10 MILLION PRB; 4 FRP'S; Travel Limited to SDNY/EDNY and District of Connecticut; Surrender Travel Documents (& No New Applications); Deft to be Released upon His Signature and His Wife's Signature; Remaining Conditions to be Met by Dec 16, 2008 at 2:00 PM (3 More Co-Signers, Plus Posting the Apartment); (Preliminary Examination set for 1/12/2009 at 10:00 AM before Judge Unassigned.) (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008	4	PRB APPEARANCE Bond Entered as to Bernard L. Madoff in amount of \$ 10 MILLION PRB, 4 FRP'S; Secured by Property: Deft's Manhattan

		Apartment; Travel Limited to SDNY/EDNY and District of Connecticut; Surrender Travel Documents (& No New Applications); Deft to be Released upon His Signature and Wife's Signature; Remaining Conditions to be Met by Dec 16, 2008 at 2:00 PM (3 More Co-Signers, Plus Posting Apartment (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/11/2008	5	ADVICE OF PENALTIES AND SANCTIONS as to Bernard L. Madoff. (dif) [1:08-mj-02735-UA] (Entered: 12/12/2008)
12/16/2008	6	ORDER as to Bernard L. Madoff extending the control date for a hearing in any outstanding bail issues be adjourned from 12/16/08 to 12/17/08 at 2:00 PM: SO ORDERED: USMJ Gorenstein. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/16/08)(jm) Modified on 1/7/2009 (jm). [1:08-mj-02735-UA] (Entered: 12/16/2008)
12/17/2008	7	ORDER as to Bernard L. Madoff. Bail conditions are modified. Defendants wife shall surrender her passport by noon on Thursday, December 18, 2008, and and the confessions of judgment shall be filed by Monday, December 22, 2008. In light of this order and agreement of both the defendant and the government to the changes in the bail conditions, there is no need for a further hearing on bail today. Accordingly the hearing is cancelled. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/17/08)(vb) [1:08-mj-02735-UA] (Entered: 12/17/2008)
12/17/2008	8	AGREEMENT TO FORFEIT PROPERTY by Bernard L. Madoff. (aba) [1:08-mj-02735-UA] (Entered: 12/17/2008)
12/19/2008	9	ENDORSED LETTER as to Bernard L. Madoff addressed to Hon. Gabriel Gorenstein from Marc O. Litt dated 12/19/08 re: Requesting that the Court modify the bail conditions. GRANDED. SO ORDERED. (Signed by Magistrate Judge Theodore H. Katz on 12/19/08)(aba) [1:08-mj-02735-UA] (Entered: 12/22/2008)
12/22/2008	10	AFFIDAVIT of Bernard L. Madoff by Bernard L. Madoff. (aba) [1:08-mj-02735-UA] (Entered: 12/22/2008)
01/05/2009		Minute Entry for proceedings held before Magistrate Judge Ronald L. Ellis:Detention Hearing as to Bernard L. Madoff held on 1/5/2009. Defendant present with attorney Daniel Horowitz; AUSA Litt alsopresent. Hearing adjourned with parties to brief issues of detention and electronic monitoring. (jm) Modified on 1/7/2009 (jm). [1:08-mj-02735-UA] (Entered: 01/07/2009)
01/07/2009	11	Letter by USA as to Bernard L. Madoff addressed to Hon. Ronald L Ellis from AUSA Litt dated 1/6/09 re: Support of Motion to Detain Defendant. (jm) [1:08-mj-02735-UA] (Entered: 01/07/2009)
01/07/2009	12	LETTER BRIEF IN OPPOSITION by Bernard L. Madoff addressed to Honorable Ronald L. Ellis from Ira Lee Sorkin, Daniel J. Horwitz dated 1/7/09 (aba) [1:08-mj-02735-UA] (Entered: 01/07/2009)
01/08/2009	13	LETTER BRIEF IN REPLY by USA as to Bernard L. Madoff addressed to Honorable Ronald L. Ellis from Marc Litt, Lisa A. Baroni dated 1/8/09 (aba) [1:08-mj-02735-UA] (Entered: 01/08/2009)

01/08/2009	14	Letter by Bernard L. Madoff addressed to Honorable Ronald L. Ellis from Ira Lee Sorkin dated 1/8/09 re: Respectfully submit this revised brief, originally submitted yesterday, January 7, 2009. (aba) [1:08-mj-02735-UA] (Entered: 01/08/2009)
01/12/2009	15	OPINION AND ORDER # 96937 as to Bernard L. Madoff. III. CONCLUSION: The Government seeks an order detaining Defendant Madoff prior to trial based on risk of flight and danger to community. On this matter, the Government has the burden of proof -- by a preponderance of the evidence with respect to the question of flight, and by clear and convincing evidence with respect to question of danger -- that there are no conditions which can be set to address these concerns. The Court finds that the Government has failed to meet its burden as to either ground. Accordingly, its motion is DENIED. SO ORDERED this 12th day of January 2009. (Signed by Magistrate Judge Ronald L. Ellis on 1/12/09)(bw) Modified on 1/12/2009 (kkc). [1:08-mj-02735-UA] (Entered: 01/12/2009)
01/12/2009	16	ENDORSED LETTER as to Bernard L. Madoff addressed to Magistrate Judge Ronald L. Ellis from Marc Litt dated January 12, 2009 re: The Government respectfully submits this letter in response to the Court's opinion and order issued in the above-captioned matter earlier today. The Government intends to appeal the Court's order to the District Court. Accordingly, the Government respectfully requests that the Court stay its order pending the outcome of that (or any further appeal). Counsel for the defendant, Ira Lee Sorkin, Esq., has informed the Government that defendant consents, through counsel, to this request for a stay. ENDORSEMENT: Order stayed for 48 hours until 1:00 p.m. on 1-14-09. (Signed by Magistrate Judge Ronald L. Ellis on 1/12/2009) (rw) [1:08-mj-02735-UA] (Entered: 01/12/2009)
01/12/2009	17	AFFIRMATION of Marc Litt in Support by USA requesting a 30-day continuance from 1/12/09 to 2/11/09 as to Bernard L. Madoff (aba) [1:08-mj-02735-UA] (Entered: 01/13/2009)
01/12/2009	18	ORDER TO CONTINUE IN THE INTEREST OF JUSTICE as to Bernard L. Madoff. Time excluded from 1/12/09 until 2/11/09. (Signed by Magistrate Judge Michael H. Dolinger on 1/12/09)(aba) [1:08-mj-02735-UA] (Entered: 01/13/2009)
01/13/2009	19	APPEAL OF MAGISTRATE JUDGE DECISION (LETTER BRIEF) to District Court by USA as to Bernard L. Madoff. (aba) [1:08-mj-02735-UA] (Entered: 01/13/2009)
01/14/2009	20	DEFENDANT'S BRIEF (LETTER) in Appeal of Magistrate Judge Decision by Bernard L. Madoff re: 19 Appeal of Magistrate Judge Decision to District Court - Magistrate Judge Case filed by USA. (aba) [1:08-mj-02735-UA] (Entered: 01/14/2009)
01/14/2009	21	ENDORSED LETTER as to Bernard L. Madoff addressed to Honorable Lawrence M. KcKenna from Marc Litt dated 1/13/09 re: The Government respectfully submits this letter brief to the Court, sitting in its Part I capacity, in support of its appeal of the Opinion of Order entered by United States Magistrate Judge Ronald L. Ellis on January 12, 2009 (the "Order"), which

		denied the Government's motion pursuant to Title 18, United States Code, Section 3142(f)(2), to detain the defendant pending trial. Application for detention denied and Judge Ellis' 1/12/09 Opinion and order affirmed for reasons set forth on record on 1/14/09. (Signed by Judge Lawrence M. McKenna on 1/14/09)(aba) [1:08-mj-02735-UA] (Entered: 01/14/2009)
01/14/2009		Minute Entry for proceedings held before Judge Lawrence M. McKenna: Bond Hearing as to Bernard L. Madoff held on 1/14/2009. Court Reporter: Ann Hairston present. AUSA Marc Litt and AUSA Lisa Baroni present. U.S. Pretrial Services Officer, Regina Joyner, also present. Defendant present with Attorneys' Ira Lee Sorkin, Daniel J. Horwitz and Nicole De Bello. Bail appeal hearing held and concluded. The Court affirms the Opinion & Order of Magistrate Judge Ronald Ellis entered by the Court on 1/12/09. All previous conditions of bail established by the Court are continued and/or modified along with additional conditions established by the Court. See transcript. The Court instructs counsel to submit a proposed order to the Court no later than close of business, 1/16/09, which is to include any modifications/additional conditions of bail established on the record before the Court on 1/14/09. See transcript. See Order signed. (aba) [1:08-mj-02735-UA] (Entered: 01/21/2009)
01/16/2009	22	ORDER: As to Bernard L. Madoff. Defendant Bernard L. Madoff is released on bail under the following conditions: 1. A \$10 million personal recognizance bond signed by Mr. Madoff, his wife, and his brother, and secured by confessions of judgment on properties in New York, N.Y., Montauk, N.Y., and Palm Beach, Fl.; 2. The surrender of Mr. and Mrs. Madoff's passports; 3. Other than for scheduled court appearances, Mr. Madoff is confined to home detention in his Manhattan apartment 24 hours a day, with an electronic monitoring; 4. Employment at his wife's expense of a security firm acceptable to the Government, to provide the following services to prevent harm and flight: a. round-the-clock monitoring at Mr. Madoff's building, 24 hours per day, including video monitoring of all of the Defendant's apartment door(s), and communication devices and services permitting it to send a direct signal from an observation post to the Federal Bureau of Investigation in the event of the appearance of harm or flight; b. the security firm will provide additional guards available on request if necessary to prevent harm or flight; 5. Incorporation of the restrictions set forth in the preliminary injunction entered on December 18, 2008, in the case SEC v. Madoff and Bernard L. Madoff Investment Securities LLC, 08 Civ. 10791, before District Judge Louis L. Stanton, including restrictions on transfer of all property whatsoever, wherever located, in the possession or under the control of Mr. Madoff; 6. Incorporation of the restrictions set forth in the voluntary restraint agreement signed by Mrs. Madoff on December 26, 2008; 7. Mr. Madoff must compile an inventory of all valuable portable items in his Manhattan home. The Government and Mr. Madoff are to agree on a threshold value for inventory items by January 21, 2009. In addition to providing this inventory to the Government, Casale Associates, or another security company approved by the Government, shall check the inventory every two weeks; 8. Mr. Madoff must compile an inventory of all valuable portable items in the aforementioned properties in Montauk, N.Y. and Palm Beach, Fl., as well as property owned by Mrs. Madoff located in Antibes, France; and 9. Casale Associates, or another security company approved by the Government, shall

		search all outgoing physical mail in New York, N.Y to ensure that no property has been transferred. SO ORDERED: (Signed by Judge Lawrence M. McKenna on 1/16/2009)(D'Avanzo, Daniel) [1:08-mj-02735-UA] (Entered: 01/16/2009)
01/20/2009	23	ENDORSED LETTER as to Bernard L. Madoff addressed to Honorable Lawrence M. McKenna from Nicole De Bello dated 1/20/09 re: I await confirmation from the Court that Mr. Madoff may file the Affidavit with the Magistrate Clerk's Office in lieu of his in-person appearance to sign the bail bond. This is the same procedure that was followed in connection with Magistrate Judge Katz's Order on December 19, 2008. Assistant United States Attorney Marc Litt has consented to the filing of the Affidavit. THE COURT ACCEPTS THE ANNEXED 1/20/09 AFFIDAVIT OF DEFENDANT IN LIEU OF A PERSONAL APPEARANCE; THE CLERK IS DIRECTED TO ACCEPT FOR FILING THE ORIGINAL THEREOF. SO ORDERED. (Signed by Judge Lawrence M. McKenna on 1/20/09)(aba) [1:08-mj-02735-UA] (Entered: 01/21/2009)
01/20/2009	24	AFFIDAVIT of Bernard L. Madoff by Bernard L. Madoff. (aba) [1:08-mj-02735-UA] (Entered: 01/21/2009)
01/21/2009	25	PRB Bond Entered as to Bernard L. Madoff in amount of \$ 10 MILLION PRB. BAIL MODIFIED 1/16/09 BY U.S.D.J. McKENNA: SEE ORDER DATED 1/16/09 DOC # 22. (aba) (aba). [1:08-mj-02735-UA] (Entered: 01/21/2009)
01/29/2009	26	TRANSCRIPT of Proceedings as to Bernard L. Madoff held on 1/5/09 at 2:30 p.m. before Magistrate Judge Ronald L. Ellis. (aba) [1:08-mj-02735-UA] (Entered: 01/29/2009)
01/29/2009	27	TRANSCRIPT of Proceedings as to Bernard L. Madoff held on 1/14/09 at 2:35 p.m. before Judge Lawrence M. McKenna. (aba) [1:08-mj-02735-UA] (Entered: 01/29/2009)
01/29/2009	28	Letter by Bernard L. Madoff addressed to Honorable Lawrence M. McKenna from Ira Lee Sorkin dated 1/29/09 re: We represent Defendant Bernard L. Madoff in the above referenced matter. On behalf of Mr. Madoff we write to respectfully advise the Court that we have hired a new security firm, Stroz Friedberg Investigations ("Stroz"), to comply with items numbered 4, 7, 8 and 9 of the Court's January 16, 2009 Order (the "Order"). (aba) (aba). [1:08-mj-02735-UA] (Entered: 01/29/2009)
02/11/2009	29	AFFIRMATION of Marc Litt in Support by USA requesting a 30-day continuance from 2/11/09 to 3/13/09 as to Bernard L. Madoff (aba) [1:08-mj-02735-UA] (Entered: 02/11/2009)
02/11/2009		ORDER TO CONTINUE IN THE INTEREST OF JUSTICE as to Bernard L. Madoff re: 18 Order to Continue - Interest of Justice. Time excluded from 2/11/09 until 3/13/09. Follows oral order of 2/11/09. (Signed by Magistrate Judge James C. Francis on 2/11/09)(aba) [1:08-mj-02735-UA] (Entered: 02/11/2009)
03/06/2009	30	NOTICE OF INTENT TO FILE an Information by U.S.A. as to Bernard L.

		Madoff.Judge Chin is Assigned (vb) (jm). [1:08-mj-02735-UA] (Entered: 03/06/2009)
03/06/2009	31	SEALED DOCUMENT placed in vault. (aba) [1:08-mj-02735-UA] (Entered: 03/09/2009)
03/06/2009	32	MOTION Title 18, U.S.C. 3771. Document filed by USA as to Bernard L. Madoff. (aba) (aba). [1:08-mj-02735-UA] (Entered: 03/09/2009)
03/06/2009	33	ORDER granting 32 Motion Title 18 U.S.C. 3771 re: 32 MOTION Title 18, U.S.C. 3771. as to Bernard L. Madoff (1).(Signed by Judge Denny Chin on 3/6/09) (aba). [1:08-mj-02735-UA] (Entered: 03/09/2009)
03/09/2009	35	SEALED DOCUMENT placed in vault. (aba) [1:08-mj-02735-UA] (Entered: 03/10/2009)
03/10/2009	34	Letter by USA as to Bernard L. Madoff addressed to Judge Leonard B. Sand from AUSAs Marc Litt / Lisa A. Baroni dated March 3, 2009 re: The Government submits this letter to notify the Court of potential conflicts of interest relating to the representation of the defendant, Bernard Madoff, by Ira Sorkin, Esq., in the above-referenced case. The Government has requested that the Court conduct a hearing pursuant to United States v. Curcio, 680 F.2d 881 (2d Cir. 1982), and the Court has scheduled a hearing for March 4, 2009 at 10:00 a.m. (bw) [1:08-mj-02735-UA] (Entered: 03/10/2009)
03/10/2009		Case Designated ECF as to Bernard L. Madoff. (jm) (Entered: 03/10/2009)
03/10/2009	36	Letter by USA as to Bernard L. Madoff addressed to Judge Denny Chin from Marc Litt/ Lisa A. Baroni dated 3/10/2009.This letter sets forth the present position of the Office of the United States Attorney for the Southern District of New York (the "Office") regarding the application of the U.S. Sentencing Guidelines ("U.S.S.G." or "Guidelines") to this case. (dnd) (Entered: 03/10/2009)
03/10/2009	37	Letter by Bernard L. Madoff addressed to Judge Denny Chin from Daniel J. Horowitz dated 3/10/2009. re: We respectfully submit this letter on behalf of this Firm's client, Bernard L. Madoff in response to the government's letter to us, and filed with the Court, dated March 10, 2009 pursuant to United States v. Pimentel. (dnd) (Entered: 03/10/2009)
03/10/2009	38	INFORMATION (Felony) filed as to Bernard L. Madoff (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11. (bw) (Entered: 03/10/2009)
03/10/2009	39	WAIVER OF INDICTMENT by Bernard L. Madoff. (bw) (Entered: 03/10/2009)
03/10/2009		Minute Entry for proceedings held before Judge Denny Chin: Status Conference as to Bernard L. Madoff held on 3/10/2009. Defendant Bernard L. Madoff present with attorney Ira Lee Sorkin, Daniel Howritz. AUSA Marc Litt and Lisa Baroni. Defendant waives Indictment. Plea scheduled for 3/12/09 at 10:00 AM. Bail continued. (bw) (Entered: 03/10/2009)
03/10/2009		ORAL ORDER as to Bernard L. Madoff. Status Conference (Plea) set for 3/12/2009 at 10:00 AM before Judge Denny Chin. (bw) (Entered: 03/10/2009)

03/11/2009	40	ENDORSED LETTER as to Bernard L. Madoff addressed to Judge Chin from AUSAs Marc Litt / Lisa A. Baroni dated 3/9/09 re: The Government submits this letter and the attached PDF file containing emails, received by the Government as of 4:05 p.m. today, in response to the Court's March 6, 2009 Order in this case. The Government requests that the attached emails, which contain identifying information from victims, be filed under seal to protect their privacy interests. ENDORSEMENT: The attached emails will be filed under seal for now. So Ordered. (Signed by Judge Denny Chin on 3/10/09) (bw) (Entered: 03/11/2009)
03/11/2009	41	NOTICE OF ATTORNEY APPEARANCE: Ira Lee Sorkin appearing for Bernard L. Madoff. (Sorkin, Ira) (Entered: 03/11/2009)
03/11/2009	42	NOTICE OF ATTORNEY APPEARANCE: Daniel James Horwitz appearing for Bernard L. Madoff. (Horwitz, Daniel) (Entered: 03/11/2009)
03/11/2009	43	NOTICE OF ATTORNEY APPEARANCE: Mauro Michael Wolfe appearing for Bernard L. Madoff. (Wolfe, Mauro) (Entered: 03/11/2009)
03/11/2009	44	NOTICE OF ATTORNEY APPEARANCE: Nicole Pappas De Bello appearing for Bernard L. Madoff. (De Bello, Nicole) (Entered: 03/11/2009)
03/11/2009	45	SEALED DOCUMENT placed in vault. (rt) (Entered: 03/11/2009)
03/11/2009	46	SEALED DOCUMENT placed in vault. (rt) (Entered: 03/11/2009)
03/11/2009	47	SEALED DOCUMENT placed in vault. (rt) (Entered: 03/11/2009)
03/11/2009	48	SEALED DOCUMENT placed in vault. (rt) (Entered: 03/11/2009)
03/12/2009	49	ENDORSED LETTER as to Bernard L. Madoff addressed to Judge Chin from AUSAs Marc Litt / Lisa A. Baroni dated 3/11/09 re: The Government submits this letter and the attached documents, received by the Government between 4:05 p.m. on March 9, and approximately 10:30 a.m. today, in response to the Court's March 6, 2009 Order. This submission supplements the Government's submission of March 9 enclosing the initial responses received by the Government from victims. The Government requests that the attached emails, which contain identifying information from victims, be filed under seal to protect their privacy interests. ENDORSEMENT: The emails will be sealed, for now, pending discussions regarding unsealing and/or redacting the emails so that they are available to the public. So Ordered. (Signed by Judge Denny Chin on 3/12/09)(bw) (Entered: 03/12/2009)
03/12/2009	50	MEMO ENDORSEMENT: As to Bernard L. Madoff. re: Plea Allocution of Bernard L. Madoff before the Honorable Judge Denny Chin on March 12, 2009. ENDORSEMENT: This statement shall be docketed and made part of the record. So Ordered. (Signed by Judge Denny Chin on 3/12/2009)(dnd) (Entered: 03/12/2009)
03/12/2009		Minute Entry for proceedings held before Judge Denny Chin:Arraignment as to Bernard L. Madoff (1) Count 1,2,3,4,5,6,7,8,9,10,11 held on 3/12/2009. Deft Bernard L. Madoff present with atty Ira Lee Sorkin. AUSA Marc Litt and Lisa Baroni present. Plea hearing held and concluded. Deft pleads guilty to Counts 1-11. Court accepts plea. PSI ordered. Sentence date set for 6/16/09 at

		1:00pm. Deft is remanded pending sentence. (jw) (Entered: 03/12/2009)
03/12/2009		Minute Entry for proceedings held before Judge Denny Chin: Plea entered by Bernard L. Madoff (1) Guilty as to Count 1,2,3,4,5,6,7,8,9,10,11. (jw) (Entered: 03/12/2009)
03/12/2009		Order of Referral to Probation for Presentence Investigation and Report as to Bernard L. Madoff. (Signed by Judge Denny Chin on 3/12/09)(jw) (Entered: 03/12/2009)
03/12/2009		Minute Entry for proceedings held before Judge Denny Chin: as to Bernard L. Madoff; Sentencing set for 6/16/2009 at 01:00 PM before Judge Denny Chin. (jw) (Entered: 03/12/2009)
03/12/2009		***DELETED DOCUMENT. Deleted document number 51 ENDORSED LETTER, as to Bernard L. Madoff. Duplicate of docket entry number 49. (rw) (Entered: 03/12/2009)
03/12/2009	51	SEALED DOCUMENT placed in vault. (jri) (Entered: 03/12/2009)
03/12/2009	52	SEALED DOCUMENT placed in vault. (jri) (Entered: 03/12/2009)
03/12/2009	53	SEALED DOCUMENT placed in vault. (jri) (Entered: 03/12/2009)
03/12/2009	54	NOTICE OF ATTORNEY APPEARANCE Sharon E. Frase appearing for USA. (Frase, Sharon) (Entered: 03/12/2009)
03/12/2009	55	NOTICE OF ATTORNEY APPEARANCE Barbara Ann Ward appearing for USA. (Ward, Barbara) (Entered: 03/12/2009)
03/12/2009	56	ORDER as to Bernard L. Madoff. For the reasons stated on the record today, defendant's bail is revoked and he is remanded. Likewise, as stated on the record, his request for a stay of remand pending appeal is also denied. So Ordered. (Signed by Judge Denny Chin on 3/12/09)(bw) (Entered: 03/12/2009)
03/12/2009	57	TRANSCRIPT of Proceedings as to Bernard L. Madoff held on 3/12/2009 at 10:00 a.m. before Judge Denny Chin. (nd) (Entered: 03/12/2009)
03/12/2009	58	NOTICE OF APPEAL (Interlocutory) by Bernard L. Madoff from 56 Order. Filing fee \$ 455.00, receipt number E 681192. Copies of Notice of Appeal sent to A.U.S.A. by inter-office mail. (nd) (Entered: 03/12/2009)
03/12/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Bernard L. Madoff to US Court of Appeals re: 58 Notice of Appeal - Interlocutory. (nd) (Entered: 03/12/2009)
03/12/2009	63	TRANSCRIPT of Proceedings as to Bernard L. Madoff held on 3/10/09 before Judge Denny Chin. (ja) (Entered: 03/31/2009)
03/15/2009	59	NOTICE of Intent to Seek Forfeiture as to Bernard L. Madoff (Frase, Sharon) (Entered: 03/15/2009)
03/17/2009	60	NOTICE of Second Notice of Intent to Seek Forfeiture of Certain Assets as to Bernard L. Madoff (Frase, Sharon) (Entered: 03/17/2009)

03/17/2009	61	ORDER: As to Bernard L. Madoff. In this case, a number of documents have been filed under seal, at the request of the Government. Emails submitted by victims (or alleged victims) account for three of the sealed entries on the docket. WNBC has requested that all sealed items be unsealed and made publicly available. It is hereby ORDERED as follows: 1. The Government, defendant, and WNBC shall confer in an effort to agree on what may be unsealed (with or without redactions). 2. To the extent the Government, defendant, and WNBC cannot agree, the Government and/or defendant shall oppose WNBC's unsealing request in writing, citing the relevant legal authorities, by March 31, 2009. WNBC may respond in writing by April 7, 2009. So Ordered. (Signed by Judge Denny Chin on 3/17/2009)(dnd) (Entered: 03/17/2009)
03/24/2009	62	MEMO ENDORSEMENT As to Bernard L. Madoff, from Indira Satyendra Senior Counsel, Litigation and Employment Practices ABC Inc. American Broadcasting Companies, Inc. (ABC) joins in WNBC's request that all sealed items in the Madoff case be unsealed and made publicly available. ENDORSEMENT: Approved. The various news entities are encouraged to submit a joint response. So Ordered. (Signed by Judge Denny Chin on 3/24/2009)(dnd) (Entered: 03/24/2009)
03/31/2009	64	MEMORANDUM OF LAW in Opposition by USA as to Bernard L. Madoff. (Fraser, Sharon) (Entered: 03/31/2009)
04/02/2009	65	EX PARTE MOTION Application for Post-Indictment Warrant of Seizure. Document filed by USA as to Bernard L. Madoff. (Ward, Barbara) (Entered: 04/02/2009)
04/02/2009	67	Letter by USA as to Bernard L. Madoff addressed to Judge Denny Chin from Lisa A. Baroni dated 3/31/2009. re: The Government respectfully submits this letter in connection with the application by WNBC and ABC to unseal and make publicly available all the sealed items on the docket in the above-referenced case. This letter addresses the sealed entries consisting of emails submitted by victims of the fraud in this case. A separate letter will be submitted addressing other categories of sealed entries on the docket. (dnd) (Entered: 04/02/2009)
04/02/2009	68	SEALED DOCUMENT placed in vault. (rt) (Entered: 04/03/2009)
04/15/2009	69	USCA MANDATE ON INTERLOCUTORY APPEAL (certified copy) as to Bernard L. Madoff re: 58 Notice of Appeal - Interlocutory. USCA Case Number 09-1025-cr. Ordered, Adjudged and Decreed that the order of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 4/13/2009. (nd) (Entered: 04/15/2009)
04/15/2009		Transmission of USCA Mandate/Order to the District Judge re: 69 USCA Mandate - Interlocutory Appeal,. (nd) (Entered: 04/15/2009)
04/17/2009	70	PROTECTIVE ORDER: As to Bernard L. Madoff, IT IS HEREBY ORDERED: 1. Materials produced by the Government to the defendant or to Defendant's Counsel in connection with sentencing in the above-captioned action (including any material produced in connection with the determination of the loss amount, forfeiture, or restitution obligations), are deemed

		<p>"Protected Materials." 2. Protected Materials disclosed to the defendant or to Defendant's Counsel during the course of proceedings in this action: (a) Shall be used by the defendant or Defendant's Counsel only for purposes of this action; (b) Shall be kept in the sole possession of Defendant's Counsel, and shall not be disclosed in any form by the defendant or his counsel except as set forth in paragraph 2 (c) below; (c) May be disclosed by the defendant or Defendant's Counsel only to the following persons (hereinafter "Designated Persons") : (i) investigative, secretarial, clerical, and paralegal personnel employed full time or part-time by Defendant's Counsel; (ii) independent expert witnesses, investigators or advisors retained by the defendant in connection with this action; (iii) Peter A. Chavkin, Esq., and Bridget Rhode, Esq., as counsel to Ruth Madoff (individually and collectively "Ruth Madoff's Counsel) and any investigative, secretarial, clerical, and paralegal personnel employed full time or part-time by Ruth Madoff's Counsel; (iv) such other persons as hereafter may be authorized by the Court upon such motion by the defendant; and (d) Shall be returned to the Government following the conclusion of this case and any all copies made of said material shall be shredded and destroyed, except as otherwise directed by the Court. 3. Copies of Protected Materials and documents containing summaries of, or extracts from, information contained in Protected Materials shall be treated as Protected Materials under the terms of this Protective Order. 4. The defendant and Defendant's Counsel shall provide a copy of this Order to any Designated Persons to whom they disclose confidential information pursuant to paragraphs 2(c) (i)-(iv). Designated Persons shall be subject to the terms of this Order. 5. The defendant is directed to provide advance notice of least ten days to the Government in advance of any public filing expected to contain Protected Materials, to permit the Government to seek appropriate relief, if necessary, from the Court. 6. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in this action or to any judge or magistrate of this Court for purposes of this action. SO ORDERED. (Signed by Judge Denny Chin on 4/17/2009)(dnd) (Entered: 04/17/2009)</p>
04/20/2009	71	NOTICE of Post Indictment Restraining Order Pursuant to 21 U.S.C. s 853(e) (2) as to Bernard L. Madoff (Frase, Sharon) (Entered: 04/20/2009)
04/20/2009	72	MOTION Ex Parte Application for Post-Indictment Restraining Order Pursuant to 21 U.S.C. s 853(e)(2) re 71 Notice (Other). Document filed by USA as to Bernard L. Madoff. (Frase, Sharon) (Entered: 04/20/2009)
04/20/2009	73	NOTICE of Amended Second Notice of Intent to Seek Forfeiture as to Bernard L. Madoff re: 60 Notice (Other). (Frase, Sharon) (Entered: 04/20/2009)
04/21/2009	74	SEALED DOCUMENT placed in vault. (jri) (Entered: 04/21/2009)
05/12/2009	75	TRANSCRIPT of Proceedings as to Bernard L. Madoff held on 3/12/09 before Judge Denny Chin. (cd) (Entered: 05/13/2009)
05/14/2009	76	ORDER: As to Bernard L. Madoff. IT IS HEREBY ORDERED, with respect to the sentencing of the defendant Bernard L. Madoff, (see Order below) The Clerk of the Court shall promptly post this order on the Court's website. The

		United States Attorney's Office shall promptly post this order on its website.SO ORDERED. (Signed by Judge Denny Chin on 5/14/2009)(dnd) (Entered: 05/14/2009)
05/20/2009	77	ORDER: As to Bernard L. Madoff. This order supersedes the Court's order dated May 14, 2009, which provided an incorrect email address. The Court will post this order on its website, in place of this Court's order dated May 14, 2009. The United States Attorney's Office shall promptly post this order on its website, in place of this Court's order dated May 14, 2009. SO ORDERED. (Signed by Judge Denny Chin on 5/20/2009)(dnd) (Entered: 05/20/2009)
05/28/2009	78	ORDER: As to Bernard L. Madoff. That mitigation specialists Kathleen O'Boyle and Herbert Hoelter of the National Center on Institutions and Alternatives are permitted to visit Defendant Bernard L. Madoff (inmate # 61727-054) at the Metropolitan Correctional Center, 150 Park Row, New York, NY, to consult with him regarding sentencing. SO ORDERED. (Signed by Judge Denny Chin on 5/28/2009)(dnd) (Entered: 05/29/2009)
06/15/2009	79	ENDORSED LETTER as to Bernard L. Madoff addressed to Judge Chin from Wendy Olsen Clancy dated 6/12/09 re: Please find enclosed 113 Victim Impact Statements for the above-referenced case scheduled for sentencing on June 29, 2009. The statements are attached as Exhibit A. Eight of these are from victims who wish to speak at sentencing. These are attached as Exhibit B....ENDORSEMENT...The Clerk of the Court still accept this letter and the attachments for filing. SO ORDERED. (Signed by Judge Denny Chin on 6/15/09)(jw) (Entered: 06/15/2009)
06/17/2009	80	MEMORANDUM DECISION: As to Bernard L. Madoff. In this case, defendant Bernard L. Madoff has been charged in an eleven-count information with securities fraud and other crimes. On March 12, 2009, he pled guilty to all eleven counts.Prior to the guilty plea, numerous victims submitted emails to the United States Attorney's Office, some describing the impact Madoff's crimes had on their lives and others asking for an opportunity to be heard at the plea proceedings. With the permission of the Court, the Government filed the emails under seal. Certain other documents in the case have also been filed under seal. ABC, Inc., NBC Universal, Inc., and Fox News Network, LLC (collectively, the "Media") request that the emails be unsealed and that the Court make specific findings with respect to the other sealed documents. The Government argues that the majority of the victims' emails (156 out of a total of 188) should be redacted as to the victims' personal identifying information. With respect to the other documents, the Government argues that they should remain sealed for now, except for one letter that the Government consents to releasing in redacted form..... For the reasons stated above, the continued sealing of the information in this case -- incorporating the revisions ordered by this opinion -- is consistent with both the common law and First Amendment right of access to judicial documents. The Government shall provide the Court with the victims' emails -- in both redacted and unredacted form as ordered by this opinion -- and the Court will make them part of the public docket of this case. The March 6, 2009 letter, in redacted form, shall be made part of the public record as well. The Government has indicated that it may consent to the unsealing of some of the other sealed documents. The Government is hereby

		ordered to notify the Court of the status of the sealed documents by July 1, 2009. SO ORDERED. (Signed by Judge Denny Chin on 6/17/2009)(dnd) (Entered: 06/17/2009)
06/18/2009	81	ENDORSED LETTER as to Bernard L. Madoff, addressed to Judge Chin, from Wendy Olsen Clancy, Victim Witness Coordinator, dated 6/17/09, re: requests to include the enclosed additional victim impact statements and requests to speak at sentencing.... -- Judge endorsed: The Clerk of the Court shall accept this letter and the attachments for filing. The additional submissions will all be read and considered by the Court. SO ORDERED. [[Letters attached.] (Signed by Judge Denny Chin on 6/18/09)(ja) (Entered: 06/18/2009)
06/19/2009	82	Letter by USA as to (Case no. 08-Mag-2735) Bernard L. Madoff addressed to Judge Lawrence M. McKenna from AUSAs Marc Litt/Lisa A. Baroni dated March 6, 2009 re: The Office of the U.S. Attorney writes in connection with the January 16, 2009 bail order entered by Your Honor in connection with the above-captioned criminal complaint filed on December 11, 2008, against the defendant, Bernard Madoff. [*** NOTE: Judge Chin's Chambers confirmed that this is to be docketed. ***] (bw) (Entered: 06/19/2009)
06/19/2009	83	FILING ERROR - WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY - MOTION For an Order Pursuant to Title 18, United States Code, Section 3664(d)(5)(MEMORANDUM IN SUPPORT OF MOTION). Document filed by USA as to Bernard L. Madoff. (Baroni, Lisa) Modified on 6/25/2009 (KA). (Entered: 06/19/2009)
06/23/2009	84	Letter by Bernard L. Madoff addressed to Judge Chin from Attorney Ira Lee Sorkin dated June 22, 2009 re: submitted this letter to assist the Court in determining an appropriate sentence following Mr. Madoff's guilty plea to the eleven counts charged in the Information. For the reasons set forth below, we respectfully submit that an appropriate sentence in this case would be a period of incarceration below the life sentence called for by the advisory Sentencing Guidelines and substantially below the 150 year statutory maximum. (bw) (Entered: 06/23/2009)
06/23/2009	85	ENDORSED LETTER as to Bernard L. Madoff addressed to Judge Chin from AUSAs Lisa A. Baroni/Marc Litt dated 6/23/09 re: Enclosed is the correspondence that was submitted to the U.S. Attorney's Office in connection with the March 12, 2009 plea proceeding in the above-referenced case. ENDORSEMENT: The Clerk of the Court should accept this letter and the attachments for docketing. The Court has deleted certain non-substantive emails, duplicates, and the "documentation" referred to above from Exhibit C. So Ordered. (Signed by Judge Denny Chin on 6/23/09)(bw) (Entered: 06/23/2009)
06/24/2009	86	ORDER as to Bernard L. Madoff. The sentencing of defendant Bernard L. Madoff is set for June 29, 2009. The sentencing will proceed as scheduled. An issue has arisen, however, as to the determination of restitution. In cases where identifiable victims have suffered a pecuniary loss, the Court usually must order the defendant to make restitution to the victims. 18 U.S.C. § 3663A(a) (1), (c)Exceptions exist where the "number of identifiable victims is so large

		as to make restitution impracticable" or the determination of restitution would unduly delay or prolong the sentencing process. 18 U.S.C. § 3663A(c) (3). In these circumstances, the Court may decline to order restitution and instead it may order victim compensation through a "remission" process under the forfeiture statutes and related regulations. See 21 U.S.C. § 853 (i) i 28 C. F. R. Part 9. Pursuant to 18 U.S.C. § 3664(d)(5), the Government moves for an order deferring for 90 days from the date of sentencing (1) the determination whether statutory restitution is practicable and, if so, (2) the calculation of victims' losses. Madoff does not oppose the motion. I find that the number of victims, the difficulties posed by the lack of proper record-keeping, and the scope, complexity, and duration of the fraud make it impossible, at this stage, to determine whether restitution is practicable. Accordingly, the Government's motion is granted, and the date for determining whether restitution is practicable and, if so, setting a restitution schedule is deferred for 90 days from the date of sentencing. SO ORDERED. (Signed by Judge Denny Chin on 6/24/09)(jw) (Entered: 06/24/2009)
06/24/2009	87	ORDER: As to Bernard L. Madoff. IT IS HEREBY ORDERED: That Defendant Bernard L. Madoff (inmate # 61727-054) is permitted to receive clothing at the Metropolitan Correctional Center, 150 Park Row, New York, NY, to be worn by the Defendant at sentencing on Monday, June 29, 2009. SO ORDERED. (Signed by Judge Denny Chin on 6/24/2009)(dnd) (Entered: 06/24/2009)
06/25/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - PDF ERROR. Note to Attorney Lisa Baroni as to Bernard L. Madoff to RE-FILE Document 83 MOTION For an Order Pursuant to Title 18, United States Code, Section 3664 (d)(5). MOTION For an Order Pursuant to Title 18, United States Code, Section 3664(d)(5). (KA) (Entered: 06/25/2009)
06/26/2009	88	STIPULATION AND ORDER OF INTERLOCUTORY SALE (Montauk Home), as to Bernard L. Madoff. For the reasons set forth in this STIPULATION AND ORDER OF INTERLOCUTORY SALE: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the United States of America, by and through its attorney, Lev L. Dassin, Acting United States Attorney for the Southern District of New York, Barbara A. Ward and Sharon E. Frase, Assistant United States Attorneys, of counsel; BERNARD L. MADOFF, the defendant, by and through his attorneys, Dickstein Shapiro LLP, Ira Sorkin, Esq. and Mauro Wolfe, Esq., of counsel, and Ruth Madoff, by and through her attorneys, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Peter Chavkin and Bridget M. Rohde, Esq., of counsel, as follows: 1. The Subject Property will be sold by the USMS in a commercially feasible manner. Pending a sale of the Subject property, the USMS shall maintain existing insurance policies and, to the best of its ability, renew any other insurance policies, that the USMS, in its sole discretion, determines to be necessary to preserve the value of the Subject Property. To facilitate the expeditious disposition of the personal property, the USMS shall, in its sole discretion, solicit from among a limited number of vendors services needed to assist in the disposal of the personal property. 2. The USMS may, in its sole discretion, reject any offer to purchase the Subject Property where it determines that the offer is being made by, or on behalf of, a person involved

in the criminal activity alleged as the basis for forfeiture. 3. The net cash/check proceeds of the sale of the Subject Property (the "Net Sale Proceeds") shall consist of the sale price, less amounts expended to pay any outstanding property taxes, valid prior liens, real estate commissions, insurance costs, escrow fees, document recording fees not paid by the buyer, title fees, country transfer fees, and expenses incurred by the USMS, its agent, or its designee in connection with its custody and sale of the Subject Property. 4. The Net Sale Proceeds shall be paid to the "United States Marshals Service" and held by the USMS in its Seized Asset Fund. The Net Sale Proceeds shall serve as a substitute res for the Subject Property ("Substitute Res") in this action and any other action brought by the Office for forfeiture of the Subject Property. 5. Upon the disposition of any petitions filed pursuant to 21 U.S.C. § 853, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 (n) and 18 U.S.C. § 982(b) (1), in which all interests will be addressed. 6. MADOFF and Ruth Madoff agree to take all necessary steps to effect the interlocutory sale of the Subject Property, including the execution of documents necessary to convey clear title to the property. 7. MADOFF and Ruth Madoff agree to notify the Office promptly if they learn of any condition that might affect the sale of the Subject Property, and to join in any motion by the United States to effect the sale of the Subject Property. 8. MADOFF and Ruth Madoff, and each of them, are hereby barred from asserting any claim against the United States or any of its agents and employees, including the Federal Bureau of Investigation, the USMS, and the Office, in connection with, or arising out of, the United States' seizure, custody and interlocutory sale of the Subject Property. 9. Any rental or other income generated by the Subject Property which would otherwise be due to the owner will be turned over directly to the USMS, which will hold such proceeds in its custody and control pending entry of a Final Order of Forfeiture. 10. The undersigned individuals represent and warrant that they are authorized to execute this Stipulation. The undersigned United States signatories represent that they are signing this Stipulation in their official capacities and that they are authorized to execute this Stipulation. 11. The undersigned individuals further represent that each of them has obtained all consents, approvals or other act of any kind required to be obtained or done in order to enable it lawfully to enter into this Stipulation. 12. The signature pages of this Stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. 13. This Order constitutes the complete agreement between the Office, MADOFF and Ruth Madoff with respect to the Subject Property and may not be amended except by written consent of the same. 14. The Court retains jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this Stipulation and Order. 15. The Clerk of the Court shall forward four certified copies of this Order to the United States Marshals Service, Southern District of New York; and to Assistant U.S. Attorney Barbara A. Ward, One St. Andrews Plaza, New York, New York, 10007. Having reviewed the foregoing Stipulation of Interlocutory Sale, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that: The Stipulation is So Ordered. (Signed by Judge Denny Chin on 6/26/2009)(dnd) (Entered: 06/26/2009)

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STIPULATION AND ORDER OF INTERLOCUTORY SALE (New York

City Co-op) as to Bernard L. Madoff. For the reasons set forth in this STIPULATION AND ORDER OF INTERLOCUTORY SALE: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the United States of America, by and through its attorney, Lev L. Dassin, Acting United States Attorney for the Southern District of New York, Barbara A. Ward and Sharon E. Frase, Assistant United States Attorneys, of counsel; BERNARD L. MADOFF, the defendant, by and through his attorneys, Dickstein Shapiro LLP, Ira Sorkin, Esq. and Mauro Wolfe, Esq., of counsel, and Ruth Madoff, by and through her attorneys, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Peter Chavkin and Bridget M. Rohde, Esq., of counsel, as follows: 1. The Subject Property will be sold by the USMS in a commercially feasible manner. Pending a sale of the Subject property, the USMS shall maintain existing insurance policies and, to the best of its ability, renew any other insurance policies, that the USMS, in its sole discretion, determines to be necessary to preserve the value of the Subject Property. To facilitate the expeditious disposition of the personal property, the USMS shall, in its sole discretion, solicit from among a limited number of vendors services needed to assist in the disposal of the personal property. 2. The USMS may, in its sole discretion, reject any offer to purchase the Subject Property where it determines that the offer is being made by, or on behalf of, a person involved in the criminal activity alleged as the basis for forfeiture. 3. The net cash/check proceeds of the sale of the Subject Property (the "Net Sale Proceeds") shall consist of the sale price, less amounts expended to pay any outstanding property taxes, valid prior liens, real estate commissions, insurance costs, escrow fees, document recording fees not paid by the buyer, title fees, country transfer fees, and expenses incurred by the USMS, its agent, or its designee in connection with its custody and sale of the Subject Property. 4. The Net Sale Proceeds shall be paid to the "United States Marshals Service" and held by the USMS in its Seized Asset Fund. The Net Sale Proceeds shall serve as a substitute res for the Subject Property ("Substitute Res") in this action and any other action brought by the Office for forfeiture of the Subject Property. 5. Upon the disposition of any petitions filed pursuant to 21 U.S.C. § 853, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 (n) and 18 U.S.C. § 982(b) (1), in which all interests will be addressed. 6. MADOFF and Ruth Madoff agree to take all necessary steps to effect the interlocutory sale of the Subject Property, including the execution of documents necessary to convey clear title to the property. 7. MADOFF and Ruth Madoff agree to notify the Office promptly if they learn of any condition that might affect the sale of the Subject Property, and to join in any motion by the United States to effect the sale of the Subject Property. 8. MADOFF and Ruth Madoff, and each of them, are hereby barred from asserting any claim against the United States or any of its agents and employees, including the Federal Bureau of Investigation, the USMS, and the Office, in connection with, or arising out of, the United States' seizure, custody and interlocutory sale of the Subject Property. 9. Any rental or other income generated by the Subject Property which would otherwise be due to the owner will be turned over directly to the USMS, which will hold such proceeds in its custody and control pending entry of a Final Order of Forfeiture. 10. The undersigned individuals represent and warrant that they are authorized to execute this Stipulation. The undersigned United States signatories represent that they are

	<p>signing this Stipulation in their official capacities and that they are authorized to execute this Stipulation. 11. The undersigned individuals further represent that each of them has obtained all consents, approvals or other act of any kind required to be obtained or done in order to enable it lawfully to enter into this Stipulation. 12. The signature pages of this Stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. 13. This Order constitutes the complete agreement between the Office, MADOFF and Ruth Madoff with respect to the Subject Property and may not be amended except by written consent of the same. 14. The Court retains jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this Stipulation and Order. 15. The Clerk of the Court shall forward four certified copies of this Order to the United States Marshals Service, Southern District of New York; and to Assistant U.S. Attorney Barbara A. Ward, One St. Andrews Plaza, New York, New York, 10007. Having reviewed the foregoing Stipulation of Interlocutory Sale, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that: The Stipulation is So Ordered. (Signed by Judge Denny Chin on 6/26/2009)(dnd) (Entered: 06/26/2009)</p>
06/26/2009	<p>90 STIPULATION AND ORDER OF INTERLOCUTORY SALE (Palm Beach Home) as to Bernard L. Madoff. For the reasons set forth in this STIPULATION AND ORDER OF INTERLOCUTORY SALE: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the United States of America, by and through its attorney, Lev L. Dassin, Acting United States Attorney for the Southern District of New York, Barbara A. Ward and Sharon E. Frase, Assistant United States Attorneys, of counsel; BERNARD L. MADOFF, the defendant, by and through his attorneys, Dickstein Shapiro LLP, Ira Sorkin, Esq. and Mauro Wolfe, Esq., of counsel, and Ruth Madoff, by and through her attorneys, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Peter Chavkin and Bridget M. Rohde, Esq., of counsel, as follows: 1. The Subject Property will be sold by the USMS in a commercially feasible manner. Pending a sale of the Subject property, the USMS shall maintain existing insurance policies and, to the best of its ability, renew any other insurance policies, that the USMS, in its sole discretion, determines to be necessary to preserve the value of the Subject Property. To facilitate the expeditious disposition of the personal property, the USMS shall, in its sole discretion, solicit from among a limited number of vendors services needed to assist in the disposal of the personal property. 2. The USMS may, in its sole discretion, reject any offer to purchase the Subject Property where it determines that the offer is being made by, or on behalf of, a person involved in the criminal activity alleged as the basis for forfeiture. 3. The net cash/check proceeds of the sale of the Subject Property (the "Net Sale Proceeds") shall consist of the sale price, less amounts expended to pay any outstanding property taxes, valid prior liens, real estate commissions, insurance costs, escrow fees, document recording fees not paid by the buyer, title fees, country transfer fees, and expenses incurred by the USMS, its agent, or its designee in connection with its custody and sale of the Subject Property. 4. The Net Sale Proceeds shall be paid to the "United States Marshals Service" and held by the USMS in its Seized Asset Fund. The Net Sale Proceeds shall serve as a substitute res for the Subject Property ("Substitute Res") in this</p>

action and any other action brought by the Office for forfeiture of the Subject Property. 5. Upon the disposition of any petitions filed pursuant to 21 U.S.C. § 853, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 (n) and 18 U.S.C. § 982(b) (1), in which all interests will be addressed. 6. MADOFF and Ruth Madoff agree to take all necessary steps to effect the interlocutory sale of the Subject Property, including the execution of documents necessary to convey clear title to the property. 7. MADOFF and Ruth Madoff agree to notify the Office promptly if they learn of any condition that might affect the sale of the Subject Property, and to join in any motion by the United States to effect the sale of the Subject Property. 8. MADOFF and Ruth Madoff, and each of them, are hereby barred from asserting any claim against the United States or any of its agents and employees, including the Federal Bureau of Investigation, the USMS, and the Office, in connection with, or arising out of, the United States' seizure, custody and interlocutory sale of the Subject Property. 9. Any rental or other income generated by the Subject Property which would otherwise be due to the owner will be turned over directly to the USMS, which will hold such proceeds in its custody and control pending entry of a Final Order of Forfeiture. 10. The undersigned individuals represent and warrant that they are authorized to execute this Stipulation. The undersigned United States signatories represent that they are signing this Stipulation in their official capacities and that they are authorized to execute this Stipulation. 11. The undersigned individuals further represent that each of them has obtained all consents, approvals or other act of any kind required to be obtained or done in order to enable it lawfully to enter into this Stipulation. 12. The signature pages of this Stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. 13. This Order constitutes the complete agreement between the Office, MADOFF and Ruth Madoff with respect to the Subject Property and may not be amended except by written consent of the same. 14. The Court retains jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this Stipulation and Order. 15. The Clerk of the Court shall forward four certified copies of this Order to the United States Marshals Service, Southern District of New York; and to Assistant U.S. Attorney Barbara A. Ward, One St. Andrews Plaza, New York, New York, 10007. Having reviewed the foregoing Stipulation of Interlocutory Sale, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that: The Stipulation is So Ordered. (Signed by Judge Denny Chin on 6/26/2009)(dnd) (Entered: 06/26/2009)

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STIPULATION AND ORDER OF INTERLOCUTORY SALE (U.S. Vehicles/Vessels) as to Bernard L. Madoff. For the reasons set forth in this STIPULATION AND ORDER OF INTERLOCUTORY SALE: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the United States of America, by and through its attorney, Lev L. Dassin, Acting United States Attorney for the Southern District of New York, Barbara A. Ward and Sharon E. Frase, Assistant United States Attorneys, of counsel; BERNARD L. MADOFF, the defendant, by and through his attorneys, Dickstein Shapiro LLP, Ira Sorkin, Esq. and Mauro Wolfe, Esq., of counsel, and Ruth Madoff, by and through her attorneys, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Peter Chavkin and Bridget M. Rohde, Esq.,

of counsel, as follows: 1. The Subject Property will be sold by the USMS in a commercially feasible manner. Pending a sale of the Subject property, the USMS shall maintain existing insurance policies and, to the best of its ability, renew any other insurance policies, that the USMS, in its sole discretion, determines to be necessary to preserve the value of the Subject Property. To facilitate the expeditious disposition of the personal property, the USMS shall, in its sole discretion, solicit from among a limited number of vendors services needed to assist in the disposal of the personal property. 2. The USMS may, in its sole discretion, reject any offer to purchase the Subject Property where it determines that the offer is being made by, or on behalf of, a person involved in the criminal activity alleged as the basis for forfeiture. 3. The net cash/check proceeds of the sale of the Subject Property (the "Net Sale Proceeds") shall consist of the sale price, less amounts expended to pay any outstanding property taxes, valid prior liens, real estate commissions, insurance costs, escrow fees, document recording fees not paid by the buyer, title fees, country transfer fees, and expenses incurred by the USMS, its agent, or its designee in connection with its custody and sale of the Subject Property. 4. The Net Sale Proceeds shall be paid to the "United States Marshals Service" and held by the USMS in its Seized Asset Fund. The Net Sale Proceeds shall serve as a substitute res for the Subject Property ("Substitute Res") in this action and any other action brought by the Office for forfeiture of the Subject Property. 5. Upon the disposition of any petitions filed pursuant to 21 U.S.C. § 853, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 (n) and 18 U.S.C. § 982(b) (1), in which all interests will be addressed. 6. MADOFF and Ruth Madoff agree to take all necessary steps to effect the interlocutory sale of the Subject Property, including the execution of documents necessary to convey clear title to the property. 7. MADOFF and Ruth Madoff agree to notify the Office promptly if they learn of any condition that might affect the sale of the Subject Property, and to join in any motion by the United States to effect the sale of the Subject Property. 8. MADOFF and Ruth Madoff, and each of them, are hereby barred from asserting any claim against the United States or any of its agents and employees, including the Federal Bureau of Investigation, the USMS, and the Office, in connection with, or arising out of, the United States' seizure, custody and interlocutory sale of the Subject Property. 9. Any rental or other income generated by the Subject Property which would otherwise be due to the owner will be turned over directly to the USMS, which will hold such proceeds in its custody and control pending entry of a Final Order of Forfeiture. 10. The undersigned individuals represent and warrant that they are authorized to execute this Stipulation. The undersigned United States signatories represent that they are signing this Stipulation in their official capacities and that they are authorized to execute this Stipulation. 11. The undersigned individuals further represent that each of them has obtained all consents, approvals or other act of any kind required to be obtained or done in order to enable it lawfully to enter into this Stipulation. 12. The signature pages of this Stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. 13. This Order constitutes the complete agreement between the Office, MADOFF and Ruth Madoff with respect to the Subject Property and may not be amended except by written consent of the same. 14. The Court retains jurisdiction in this matter

		to take additional action and enter further orders as necessary to implement and enforce this Stipulation and Order. 15. The Clerk of the Court shall forward four certified copies of this Order to the United States Marshals Service, Southern District of New York; and to Assistant U.S. Attorney Barbara A. Ward, One St. Andrews Plaza, New York, New York, 10007. Having reviewed the foregoing Stipulation of Interlocutory Sale, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that: The Stipulation is So Ordered. (Signed by Judge Denny Chin on 6/26/2009)(dnd) (Entered: 06/26/2009)
06/26/2009	92	SENTENCING MEMORANDUM by USA as to Bernard L. Madoff. (Litt, Marc) (Entered: 06/26/2009)
06/26/2009	93	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT (Order of Forfeiture (signed by Judge)) - MOTION for Forfeiture of Property <i>Preliminary Order of Forfeiture</i> . Document filed by USA as to Bernard L. Madoff. (Litt, Marc) Modified on 6/29/2009 (jar). (Entered: 06/26/2009)
06/26/2009	94	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT (Stipulation and Order (signed by Judge)) - MOTION for Forfeiture of Property <i>Stipulation and Order, Ruth Madoff, Interested Party</i> . Document filed by USA as to Bernard L. Madoff. (Litt, Marc) Modified on 6/29/2009 (jar). (Entered: 06/26/2009)
06/26/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Marc Litt as to Bernard L. Madoff: to Document No. 93 Preliminary Order of Forfeiture (signed by Judge). This document is not filed via ECF. Orders signed by a Judge are filed by the Clerk's Office. (jar) (Entered: 06/29/2009)
06/26/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Marc Litt as to Bernard L. Madoff: to Document No. 94 Stipulation and Order (signed by Judge). This document is not filed via ECF. Stipulations and Orders signed by a Judge are filed by the Clerk's Office. (jar) (Entered: 06/29/2009)
06/28/2009	95	SENTENCING MEMORANDUM by Bernard L. Madoff. (De Bello, Nicole) (Entered: 06/28/2009)
06/29/2009	96	Letter addressed to Judge Chin from Mr. David J. Sheehan of Baker & Hostetler LLP, dated June 25, 2009 re: Baker Hostetler serves as counsel to Irving H. Picard (the "Trustee"), the Trustee for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC ("BLMIS") and Bernard L. Madoff, individually, which is pending in the U.S. Bankruptcy Court for the S.D.N.Y., Adv. Proc. No. 08-1789(BRL). On June 22, 2009, Ira Lee Sorkin, counsel to Bernard L. Madoff, wrote the Court regarding Mr. Madoff's impending sentencing. In the letter, Mr. Sorkin claimed that Mr. Madoff indicated a desire to cooperate with, among others, the Trustee by "supplying information, reviewing records, transferring assets, and providing assistance." I write to advise the Court that, in fact, Mr. Madoff has not provided any meaningful cooperation or assistance to the Trustee since his arrest. (bw) (Entered: 06/29/2009)

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STIPULATION AND ORDER as to Bernard L. Madoff....[see Order]...
THEREFORE, THE OFFICE AND RUTH MADOFF HEREBY STIPULATE AND AGREE as follows: 1. Subject to the provisions of paragraph 2 and 3 below, RUTH MADOFF withdraws and relinquishes any claim under the U.S. asset forfeiture laws that she has or may have, on any legal, factual or other basis, in any manner or forum, to the property subject to forfeiture under the Preliminary Order of Forfeiture entered against the defendant, any and all property and other interests belonging to, owed to or controlled in whole or in part by the defendant, and all property traceable to such property, including, but not limited to, all right, title and interest in the Specific Property and agrees that she will not object to the entry of the proposed Preliminary Order of Forfeiture or otherwise contest the administrative or judicial forfeiture of such property under the U.S. forfeiture laws or assist a third party in doing so. 2. Notwithstanding the above, to facilitate the recovery and liquidation of assets located abroad that are subject to forfeiture under the Preliminary Order of Forfeiture, RUTH MADOFF, for the purpose of complying with Court orders directing the interlocutory sale of the French Assets, for the further purpose of maximizing recovery for victims, and in order to repatriate the net proceeds of the sale to the United States, shall retain all right, title and interest in the assets identified in item numbers 5, 6, and 14 of Exhibit A (the "French Assets"). 3. In compromise of claims RUTH MADOFF would have pursued, the Office will not contest RUTH MADOFF's claim to a sum of money equal to \$2,500,000 (the "Funds"), which sum the Office shall cause to be tendered to RUTH MADOFF promptly after she vacates the real property and surrenders all personal property listed in Exhibit A hereto as provided in paragraph 4 below. RUTH MADOFF understands and agrees that this Stipulation and Order binds only the Office and does not in any way preclude any other department or agency of the United States or any other person or entity, including, but not limited to, the United States Securities and Exchange Commissions, Irving H. Picard, Esq. as trustee for the liquidation of the business of defendant Bernard L. Madoff Investment Securities LLC, the Securities Investor Protection Corporation, or Alan Nisselson, Esq. as trustee for the personal assets of BERNARD L. MADOFF and RUTH MADOFF from seeking to recover the Funds from RUTH MADOFF....[see Order]... 12. The undersigned United States signatory represents that she is signing this Stipulation and Order in her official capacity and that she is authorized to execute this Stipulation and Order. 13. RUTH MADOFF represents that she has been represented in connection with the matters contained in this Stipulation and Order by counsel of her choice who is independent of BERNARD L. MADOFF and his counsel, that she is satisfied with the representation she has received and that she is entering into this Stipulation and Order of her own free will. 14 RUTH MADOFF and her undersigned counsel acknowledge that they have fully discussed and understand every paragraph and clause in this Stipulation and Order and the consequences thereof. 15. This Stipulation and Order may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, will be deemed the complete Agreement. 16. The Court will have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order. 17. This Stipulation and Order constitutes the complete agreement between the Parties and may not be amended except by written consent of the

		Parties. SO ORDERED. (Signed by Judge Denny Chin on 6/26/09)(bw) (Entered: 06/29/2009)
06/29/2009	99	PRELIMINARY ORDER OF FORFEITURE (FINAL AS TO THE DEFENDANT) as to Bernard L. Madoff....[see Order]... NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT: 1. Pursuant to 18 U.S.C. Section 981(a)(1)(C) and 28 U.S.C. Section 2461, and Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, and based on the foregoing, the Court finds by a preponderance of the evidence that the defendant BERNARD L. MADOFF is liable for a personal money judgment in the amount of \$170,000,000,000, a sum of money representing the amount of proceeds obtained as a result of the SUA Offenses charged in Counts One, Three, Four, and Eleven of the Information. 2. Pursuant to 18 U.S.C. Section 981(a)(1)(A) and Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, and based on the foregoing, the Court finds by a preponderance of the evidence that the defendant BERNARD L. MADOFF is further liable for a personal money judgment in the amount of \$799,000,000, as a sum of money representing the property involved in the Money Laundering Offenses charged in Counts Five through Seven of the Information. 3. Pursuant to 18 U.S.C. Section 981(a)(1)(A) and (a)(1)(C) and 28 U.S.C. Section 2461, and Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, and based on the foregoing, except as provided in paragraph 5 below, any and all property and other interests belonging to, owed to or controlled in whole or in part by the defendant, and all property traceable to such property, including, but not limited to, the Specific Property, has the requisite nexus to the SUA Offenses charged in Count One, Three, Four, and Eleven of the Information and/or the Money Laundering Offenses charged in Counts Five through Seven of the Information, and is therefore forfeitable and is hereby forfeited to the United States of America as property constituting or derived from proceeds traceable to the commission of the SUA Offenses charged in Counts One, Three, Four, and Eleven of the Information, and/or as property involved in the Money Laundering Offenses charged in Counts Five through Seven of the Information....[see Order]... 15. In executing upon this order of forfeiture, the Government may use all remedies available to it pursuant to 21 U.S.C. Section 853 and 18 U.S.C. Section 982 and any other applicable federal law. If no such federal law exists, the Government may use all remedies available to it pursuant to the laws of New York State. 16. The Court retains jurisdiction to take additional action, enter further orders, and amend this and any future orders as necessary to implement and enforce this Order. 17. The Clerk of the Court shall forward four certified copies of this order to AUSA Barbara A. Ward, One St. Andrews Plaza, New York, New York, 10007. (Signed by Judge Denny Chin on 6/26/09); The Clerk of the Court has forwarded four certified copies of this order to AUSA Barbara A. Ward by inter-office mail on 6/29/09. (bw) (Entered: 06/29/2009)
06/29/2009		***DELETED DOCUMENT. Deleted document number 97. Duplicate Entry - Letter from Mr. Sheehan, as to Bernard L. Madoff. The document was incorrectly filed in this case. (ad) (Entered: 06/29/2009)
06/29/2009		Minute Entry for proceedings held before Judge Denny Chin: Sentencing held on 6/29/2009 for Bernard L. Madoff (1) Count 1,2,3,4,5,6,7,8,9,10,11. (dnd)

		(Entered: 06/29/2009)
06/29/2009	100	JUDGMENT: As to Bernard L. Madoff (1), The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 1,800 Months: Count(s) 1, 10, 3, 4, 5, 6, Imprisonment: 240 Months; Supervised Release: 3 Years; Count(s) 11, 2, 8, 9, Imprisonment: 60 Months; Supervised Release: 3 Years; Count(s) 7, Imprisonment: 120 Months. All counts are to run consecutively. Supervised Release: 3 Years. The court makes the following recommendations to the Bureau of Prisons. The defendant be designated to a facility in the North East region. The defendant is remanded to the custody of the United States Marshal. The drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The defendant is to adhere to the Special Conditions of Supervision as indicated on page 5 of this document. The defendant is to pay an assessment fee of \$1,100.00 as a lump sum payment due immediately. The determination of restitution is deferred until 9/28/2009 per order dated June 24, 2009 (doc. #86). An Amended Judgment in a Criminal Case (A0245C) will be after such determination. The defendant shall forfeit the defendant's interest in the following property to the United States: see forfeiture order dated June 26, 2009 (document # 99). (Signed by Judge Denny Chin on 6/29/2009)(dnd) (Entered: 06/29/2009)
06/29/2009	101	ORDER: At the sentencing in this case today, Ivy Silberstein apparently recorded the proceedings with a recording device, in contravention of the Court's rules, as outlined in the Court's press release issued on June 23, 2009. The Court has been advised that the Federal Protective Service (the "FPS") seized the recording device and that Ms. Silberstein was issued a summons. It is HEREBY ORDERED that the FPS may return the recording device to Ms. Silberstein but only on the condition that the recording be deleted from the device before it is returned to her. The FPS shall make a copy of the recording before the recording is deleted from Ms. Silberstein's device, and the FPS shall retain the recording in the event Ms. Silberstein wishes to assert any rights thereto, in which case further proceedings will be required. SO ORDERED. (Signed by Judge Denny Chin on 6/29/2009)(dnd) Modified on 6/29/2009 (rw). (Entered: 06/29/2009)
06/29/2009		Judgment entered in money judgment book as #09,1263 as to Bernard L. Madoff in the amount of \$ 1,100.00, re: 100 Judgment. (dt) (Entered: 07/06/2009)
07/06/2009	102	ENDORSED LETTER as to Bernard L. Madoff, addressed to Judge Chin, from Peter Chavkin, atty for dft, dated 7/6/09, re: request that Your Honor authorize Pretrial Services to return Ruth Madoff's passport. AUSA does not object. -- Judge endorsed: SO ORDERED. (Signed by Judge Denny Chin on 7/6/09)(ja) (Entered: 07/07/2009)

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