

DICKSTEINSHAPIRO_{LLP}

MEMO ENDORSED

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January 20, 2009

BY FACSIMILE (212 805 7919)

Honorable Lawrence M. McKenna
United States District Judge
Southern District of New York
500 Pearl Street
Room 1640
New York, New York 10007

*The Court accepts the
submitted 1/20/09 affi-
davit of defendant in
lieu of a personal
appearance; the clerk is
directed to accept for filing
the original thereof. So
ordered.*

*LMN
LBNJ 1/20/09*

Re: *United States v. Bernard L. Madoff*, 08 Mag. 2735

Dear Judge McKenna:

We represent Defendant Bernard L. Madoff in the above referenced matter. Pursuant to my telephone conversation with Courtroom Deputy Kenneth Zeapfel, I have attached an Affidavit signed by Mr. Madoff today, affirming that Mr. Madoff read, understood and agrees to adhere to and abide by the bail conditions so ordered by Your Honor on December 16, 2009 (the "Affidavit"). In addition, I have attached a copy of Mr. Madoff's December 19, 2008 Affidavit, which was filed with the Magistrate Clerk on December 22, 2008, in connection with the bail conditions so ordered by Magistrate Judge Theodore Katz on December 19, 2008. 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.

Respectfully submitted,

Nicole De Bello

Nicole De Bello

attachments

cc: Assistant United States Attorney Marc Litt

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/20/09

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