



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 12, 2009

BY FACSIMILE

Honorable Ronald L. Ellis
U.S. Magistrate Judge
Southern District of New York
500 Pearl Street
Room 1970
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1-12-09

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

Dear Judge Ellis:

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 defendant, Ira Lee Sorkin, Esq., has informed the Government that defendant consents, through counsel, to this request for a stay.

*Order stayed
for 48 hours
until 1:00pm.
on 1-14-09
Ronald Ellis
1-12-09*

Respectfully submitted,

LEV L. DASSIN
Acting United States Attorney

By:

Marc Litt

Marc Litt
Lisa A. Baroni
Assistant United States Attorneys
(212) 637-2295 /-2405

cc: Ira L. Sorkin, Esq.