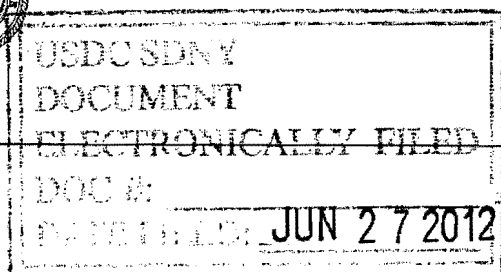


U.S. Department of Justice

United States Attorney
Southern District of New York



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

June 27, 2012

BY HAND

Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Peter Madoff
S7 10 Cr. 228 (LTS)

Dear Judge Swain:

The Government anticipates that at a court appearance scheduled for June 29, 2012 at 11:00 AM, the Government will file a Superseding Information (the "Superseding Information") in the above-referenced case, and that at the conference Peter Madoff, the former Chief Compliance Officer ("CCO") and Senior Managing Director of Bernard L. Madoff Investment Securities LLC ("BLMIS"), will plead guilty to the Superseding Information.

Count One of the Superseding Information charges that Peter Madoff conspired to (1) commit securities fraud by, among other things, making false statements to investors about BLMIS's compliance program and the nature and scope of its Investment Advisory business, in his role as CCO, (2) falsify records of an investment adviser, (3) falsify records of a broker-dealer, (4) make false filings with the Securities and Exchange Commission, (5) commit mail fraud, (6) falsify statements in relation to documents required by ERISA, and (7) obstruct and impede the lawful governmental function of the Internal Revenue Service. Count Two of the Superseding Information charges Peter Madoff with the substantive offense of falsifying records of an investment adviser. A chart of the anticipated charges and penalties is attached.

The combined statutory maximum penalty applicable to Counts One and Two is 10 years of imprisonment. Pursuant to a plea agreement with the Government, Peter Madoff agrees not to seek a sentence other than 10 years' imprisonment. Further, Madoff

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agrees to the criminal forfeiture of approximately \$143.1 billion, including all of his real and personal property.

In order to provide notice to victims of the anticipated guilty plea proceeding, the Government respectfully requests that the Court direct the United States Attorney's Office to post this letter on its Internet website at <http://www.usdoj.gov/usao/nys> on a separate Web page for *United States v. Bernard L. Madoff and Related Cases*.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: *Lisa A. Baroni*
Lisa A. Baroni
Julian J. Moore
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(212) 637-2405

cc: John R. Wing, Esq.
(Counsel to Peter Madoff)

SO ORDERED.

NEW YORK, NY

[Signature]
LAURA TAYLOR SWAIN
JUN 27, 2012 UNITED STATES DISTRICT JUDGE

United States v. Peter Madoff, S7 10 Cr. 228 (LTS)

<u>Count</u>	<u>Charge</u>	<u>Maximum Penalties</u>
ONE	Conspiracy to (1) Commit Securities Fraud; (2) Falsify Records of an Investment Adviser; (3) Falsify Records of a Broker-Dealer ; (4) Make False Filings with the SEC; (5) Commit Mail Fraud; (6) Falsify Statements in Relation to Documents Required by ERISA; and (7) Obstruct and Impede the Lawful Governmental Function of the IRS.	5 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$250,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.
TWO	Falsifying Records of an Investment Adviser	5 yrs. imprisonment; 3 yrs. supervised release; fine of the greatest of \$10,000 or twice the gross gain or loss; mandatory \$100 special assessment; and restitution.