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*Attorneys for Diane and Roger Peskin and  
Maureen Ebel, with the support of more than  
100 other customers*

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

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Case No. \_\_\_\_\_

SIPA LIQUIDATION

(Substantively Consolidated)

**DECLARATION OF HELEN DAVIS CHAITMAN  
IN SUPPORT OF MOTION FOR LEAVE TO APPEAL**

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. I am a partner in Phillips Nizer LLP, counsel to Maureen Ebel, Diane Peskin and Roger Peskin (together, the "Objectors"). I am a member of the bars of New York and New Jersey, and of this Court. I submit this declaration in support of the Objectors' motion, with the support of more than 100 other customers of Bernard L. Madoff Investment Securities LLC, for

an Order pursuant to Federal Rules of Bankruptcy Procedure 8001(b) and 8003: (i) granting them leave to appeal the August 6, 2009 order of the United States Bankruptcy Court for the Southern District of New York Approving Applications for Allowance of Interim Compensation for Services Rendered and Reimbursement of Expenses (the "Order") to the extent the Order approved the first applications for interim compensation of Irving H. Picard, Trustee, and his counsel, Baker & Hostetler LLP.

2. A true and correct copy of the Objectants' Objection to First Applications of Irving H. Picard, Trustee, and Baker & Hostetler LLP for Allowance of Interim Compensation for Services Rendered and Reimbursement of Expenses Incurred from December 15, 2008 through April 30, 2009 is attached hereto as Exhibit A.

3. A true and correct copy of the Order that is the subject of this appeal is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 14, 2009

/s/ Helen Davis Chaitman