

FORM T-2  
To Be Completed By Claim Purchaser/Transferee

**MADOFF VICTIM FUND**  
Distribution Vehicle for Forfeited Assets  
on behalf of the



**UNITED STATES DEPARTMENT OF JUSTICE**

*All submissions to the Madoff Victim Fund will be considered only  
if they are verified under the penalty of perjury pursuant to 28 U.S.C. § 1746.*

If you believe you have purchased or acquired a right to a remission claim against the Madoff Victim Fund (“MVF”), please complete this Form T-2.

Under federal regulations governing the remission of forfeitures, a claim for a remission payment from the MVF is not transferable.<sup>1</sup> **Only victims of the Madoff fraud are eligible to submit a claim to the MVF.** Federal law defines a “victim” as “any person” who suffered a “pecuniary loss” as a “direct result” of a crime. For purposes of the MVF, only those persons who lost their own money, as a direct result of investments that were rendered worthless by the Madoff fraud, qualify as victims.

However, claim purchasers/transferees, who are the current claim holders and not subject to disqualification, may be able to receive payment from the MVF. Where a victim has entered into an agreement intending to sell/transfer a remission claim, MVF may direct any payments that the victim would receive to the claim purchaser/transferee, if the parties confirm the intended transfer as required by the ratification process MVF has established. As part of this process, the parties will also be required to identify intermediate purchasers/transferees, if any.

*Please refer to the website for more information regarding the ratification process and requirements.*

*This Form T-2 must be mailed to MVF and postmarked before the claims bar date published on the MVF website.*

<sup>1</sup> Nevertheless, for ease of reference, we will refer throughout to the “victim” as such and to the person purporting to purchase the claim as the “claim purchaser.”

Pooled investment vehicles that aggregated funds of more than one person or entity and invested those funds in Bernard L. Madoff Investment Securities LLC (“Madoff Securities”) are not victims, as the loss was suffered by the underlying indirect investors, not the pooled vehicle itself. Therefore, **no payments will be made by MVF to pooled investment vehicles (or their purported claim purchasers) unless the claim is for losses of the pooled vehicle’s own proprietary capital.**

Since pooled investment vehicles generally do not have a claim against the MVF for losses suffered by their underlying investors and cannot receive distributions from the MVF, they could not have transferred a potential claim to you in a sale or transfer transaction. **You should not submit a Form T-2 if you purportedly purchased or acquired a remission claim from a pooled investment vehicle, unless the claim related to an investment of the pooled vehicle’s own proprietary capital.**

For purposes of the MVF, the term “pooled investment vehicle” includes family trusts or investment vehicles, formal or informal groups of people (friends, family or business associates), “feeder funds”, managed accounts of banks or other financial institutions, investment limited partnerships, hedge funds and any other pooled investment entities where the funds of multiple people or entities were aggregated and invested in one or more Madoff accounts.

## I Transaction Details and Contact Information

The information provided below pertains to the purported purchase or transfer of a remission claim against the MVF. Attached to this Form T-2 is a true, correct and complete copy of the agreement pertaining to the purchase or transfer.

### Contact information for the purchaser/transferee:

Name \_\_\_\_\_

Tax ID \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Type of claim(s) purportedly  
purchased/transferred:

- MVF Remission claim only
- Both Bankruptcy and MVF Remission claims
- Any other litigation or arbitration claim

Date of Transaction \_\_\_\_\_

Consideration Paid  
(Purchase Price) \_\_\_\_\_

Amount of the Claim(s)  
\_\_\_\_\_

Madoff Securities  
Accountholder Identity and  
the related Account Number \_\_\_\_\_

Copies of Any Agreement(s)  Enclosed

Did you purchase the claim(s) from  
the original victim?  No  Yes

Please provide contact information for the seller/transferor from which you acquired the claim(s)  
(this may be the original victim or an intermediary holder of the claim(s)):

Name \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email Address \_\_\_\_\_

*Please note that if you acquired the claim from someone other than the original victim, any intermediary holder of the claim(s) will need to be adequately identified, and the terms of all sales or transfers of the claim(s) that is the subject of this Form T-2 will have to be disclosed to the MVF.*

## II Collateral Recoveries

The federal regulations governing the remission of forfeitures require that all “collateral recoveries” from any source must be deducted from the net investment amount for each claim. Collateral recoveries include, without limitation, distributions or advances received from SIPC or the Madoff Securities bankruptcy trustee, any share of existing cash reserves of the Madoff Securities trustee, insurance or litigation recoveries and any other source of funds that an investor received in partial or full reimbursement of losses on a Madoff investment. Accordingly, all collateral recoveries that the victim received or may receive in the future, and all collateral recoveries the intended claim purchaser/transferee received or may receive in the future must be deducted from the net investment amount of the claim.

Set forth below is a true, correct and complete listing of all recoveries you received on account of the claim that is the subject of this Form T-2, including any SIPC advances, distributions from the bankruptcy Trustee, litigation recoveries, insurance recoveries, and any other recoveries.

Amount	Date	Source

Set forth below is a complete list of any additional recoveries I/we expect to receive in the future through litigation, arbitration, insurance or otherwise.

Amount	Date	Source

*In the event of multiple sales of the claim that is the subject of this Form T-2, recoveries paid to intermediate sellers will also be deducted from the net investment amount; sale proceeds will not be treated as recoveries.*

### III Certification

A. **CERTIFICATION.** The undersigned represents and certifies that:

1. All personal and transactional information and all disclosures regarding any recovery for the loss resulting from the Madoff fraud, are complete and accurate to the best of the undersigned's knowledge.
2. All documents accompanying this Form T-2 are true, correct and complete to the best of the undersigned's knowledge.
3. He/she/it is the party in interest, or a representative for the party in interest, to the claim(s) in question, and is not acting on behalf of any other person or entity.
4. He/she/it is the current holder of the claim(s) identified on this Form T-2 and has not transferred any rights with regard to such claim(s) to any third party.
5. He/she/it is not and/or has not been any of the following:
  - a. A person who knowingly participated in, benefitted from or acted in a willfully blind manner relating to the fraud, and has not earned fees, commissions or other payments from handling or directing investments in Madoff Securities, except as disclosed in Form A (available on our website).
  - b. A person who was an officer, director or employee of Madoff Securities at any time during the Madoff fraud through and including December 11, 2008.
  - c. A member of the Madoff family.
  - d. A person who forfeited cash or property to the DOJ in connection with the Madoff fraud.
  - e. A defendant in any state or federal criminal action relating to the Madoff fraud.
  - f. A person who is otherwise prohibited from receiving payments in the United States, including all prohibited persons under regulations of the Office of Foreign Assets Control (see [www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx](http://www.treasury.gov/about/organizational-structure/offices/Pages/Office-of-Foreign-Assets-Control.aspx)).
  - g. An affiliate, assign, heir, distributee, parent, spouse, child, or other relative of any of the foregoing, or an entity controlled by, or under common control of, any of such persons.
6. He/she/it consents to the use by the U.S. Department of Justice, the MVF and its staff, and any of the Department's agents of any of the information provided herein for any purpose relating to this claims and remission process, including verifying the information on this Form T-2 or the identity of the Claim Purchaser/Transferee. This information includes, but is not limited to, the Social Security Number (or taxpayer identification number or similar foreign identifying information), address, telephone number and brokerage account information of the Claim Purchaser/Transferee.

7. I/we recognize that the distribution of funds that make up the Madoff Victim Fund is not required by law, but that any distribution made shall be in the sole discretion of the Attorney General.

**The undersigned declares under penalty of perjury under the laws of the United States of America (and the applicable laws of any other jurisdiction) on information and belief that the information contained herein, the statements made and the answers given are true and correct and that any documents submitted herewith are true and genuine.**

Executed on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in  
(Month) (Year)  
\_\_\_\_\_  
(City, State, Country)

Claim Purchaser/Transferee
_____ Authorized Signature
_____ Type/print name
_____ Title
_____ Name of Entity
_____ Capacity of persons signing above