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FAIRFIELD SENTRY LTD. (IN LIQUIDATION); FAIRFIELD SIGMA LTD. (IN LIQUIDATION); FAIRFIELD LAMBDA LTD. (IN LIQUIDATION); KENNETH M. KRYS; AND GREIG MITCHELL,

*Applicants,*

v.

CITIBANK NA LONDON, *et al.*,

*Respondents.*

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#### AFFIDAVIT OF SERVICE

I HEREBY CERTIFY that on January 28, 2026, one (1) copy of the APPLICATION TO THE HONORABLE SONIA SOTOMAYOR FOR A FURTHER EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT in the above-captioned case was served, as required by U.S. Supreme Court Rule 29.5(c), on the following:

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To facilitate efficient management of the above-referenced litigation—which consists of over 400 consolidated appeals and cross-appeals—the Second Circuit has designated the above-referenced attorneys as liaison counsel for all respondents. *See* Exhibit 1, ¶¶ 9-10; Exhibit 2, ¶¶ 7-8.

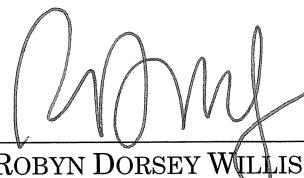
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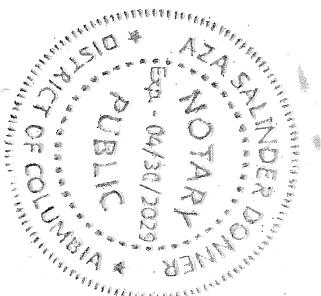


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Sworn to and subscribed before me this 28th day of January 2026.



AZA SALINDER DONNER  
NOTARY PUBLIC  
District of Columbia  
My commission expires April 30, 2029.



# **Exhibit 1**

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23<sup>rd</sup> day of November, two thousand twenty-two.

BEFORE:     Jon O. Newman,  
                  *Circuit Judge.*

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In Re: Fairfield Sentry Limited,  
                  Debtor.

\*\*\*\*\*

Fairfield Sentry Limited, (In Liquidation) acting by and  
through the Foreign Representative thereof,

Debtor - Appellant,

Kenneth Krys, solely in his capacity as Foreign  
Representative and Liquidator thereof,

Appellant,

Greig Mitchell, solely in their capacities as Foreign  
Representatives and Liquidators thereof,

Consolidated - Appellant,

v.

Citibank NA London,

Appellee.

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**ORDER**

Docket No. 22-2101 (Lead)

Upon consideration of the joint motion by Appellants and Appellees for  
consolidation and case management relief, pursuant to FRAP 2 and FRAP 3(b)(2), the court  
finds that good cause exists to grant the requested relief.

It is hereby ORDERED:

1. Pursuant to Rules 2 and 3(b)(2) of the Federal Rules of Appellate Procedure, the 422 appeals related to the District Court Docket Number 19-cv-3911 (“the Administratively Consolidated appeals”) appealed to the District Court from the Bankruptcy Court beginning May 19, 2019 are consolidated (“the Consolidated Appeals”).

2. Appeal 22-2101, Fairfield Sentry Limited v. Citibank N.A. London shall be the lead appeal. A complete list of the Consolidated Appeals filed by the parties with the instant motion is included as Exhibit A.

3. There remain four Administratively Consolidated Appeals whose judgements have not yet been entered in the District Court: 21-cv-4400, 21-cv-4486, 21-cv-4487, and 21-cv-4496. If those judgments are appealed to the Court of Appeals, those cases shall be consolidated with the lead appeal and this order shall apply to those cases without further motion.

4. The short title for the Consolidated appeals shall be “In Re: Fairfield Sentry Limited”. The parties may use the short title in lieu of a full caption for any and all filings.

5. Parties shall make filings on the docket of the lead appeal, 22-2101, which shall be deemed filed in all appeals listed in Exhibit A and those referenced in Paragraph 3.

6. Motions that seek relief in an individual appeal shall be filed in the individual appeal and the lead appeal.

7. Counsel representing Appellants are listed in Exhibit B to this order. Counsel representing Appellees are listed in Exhibit C to this order.

8. All counsel shall file the required appearance forms in each appeal consistent with the requirements of Local Rules 12.3 and 46.1.

9. For ease of filing and communication between and among Appellees, an Appellee Liaison Committee (“ALC”) is formed consisting of counsel from Cleary Gottlieb, Steen & Hamilton LLP, Friedman Kaplan Seiler & Adelman LLP, and Herbert Smith Freehills New York LLP.

10. The ALC shall facilitate communication between counsel for Appellees and counsel for Appellants and the Court. The ALC shall also coordinate the filing of papers to avoid duplication in filings to the extent possible.

11. No member of the ALC shall be deemed to represent any Appellees other than that member’s own client(s).

12. All drafts of briefs and any motions in the appeals and communications related thereto exchanged (a) between and among any of the appellants and/or their respective attorneys as a group or (b) between and among any of the appellees and/or their respective attorneys as a group shall be deemed privileged communications and/or work product, subject to a common-interest privilege.

13. Within 2 days of the entry of this order, the appellants may file an amended Form C in 22-2101 that shall apply to the Consolidated Appeals. If an Amended Form C is not filed, the Form C filed on October 10, 2022 in 22-2101 at docket entry 6 shall be operative for all the Consolidated Appeals.

14. Within 2 days of the entry of this order, the appellants may file an amended Form D in 22-2101 that shall apply to the Consolidated Appeals. If an Amended Form D is not filed, the Form D filed on October 10, 2022 in 22-2101 at docket entry 7 shall be operative for all the Consolidated Appeals.

15. The Parties shall file consolidated briefs pursuant to the conditions in Paragraphs 16 and 17. Neither the appellants' consolidated principal brief nor the appellees' consolidated opposition brief shall exceed 21,000 words.

16. The parties who filed supplemental opposition briefs in the District Court, Deutsche Bank (Cayman) Limited, Deutsche Bank (Suisse) SA, and Deutsche Bank Trust Company Americas, may file supplemental opposition briefs pursuant to the schedule in Paragraph 17. The issues raised in the supplemental briefs shall be limited to the issues raised in supplemental briefs before the District Court.

17. The appellants' reply brief shall not exceed 15,500 words and shall address issues raised in both the appellees' consolidated opposition brief and any supplemental opposition briefs filed pursuant to Paragraph 16.

18. The briefing schedule for the Consolidated Appeals shall be as follows:

- a) Appellant's consolidated principal brief is due on or before January 27, 2023.
- b) Appellees' consolidated opposition brief is due on or before May 5, 2023.
- c) Appellant's consolidated reply brief is due on or before June 9, 2023.

19. No party's substantive rights shall be prejudiced by this Order.

20. The Clerk is directed to amend the docket to conform with this Order.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

# **Exhibit 2**

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3<sup>rd</sup> day of August, two thousand twenty-three.

BEFORE: Jon O. Newman,  
*Circuit Judge.*

In Re: **Fairfield Sentry Limited,**  
**Debtor.**

## ORDER

Docket No. 23-965 (Lead)

Fairfield Sentry Limited, (In Liquidation) acting by and through the Foreign Representatives thereof

Debtor-Plaintiff-Appellee,

Fairfield Sigma Limited, (In Liquidation) acting by and through the Foreign Representatives thereof, Fairfield Lambda Limited, (In Liquidation) acting by and through the Foreign Representatives thereof, Kenneth Krys, solely in their capacities as Foreign Representatives and Liquidators thereof, Grieg Mitchell, solely in their capacities as Foreign Representatives and Liquidators thereof,

Plaintiffs-Appellees,

V.

UBS AG, BNP Paribas Arbitrage SNC, UBS Europe SE, BNP Paribas Private Bank and Trust Cayman Ltd., NP Paribas Securities Nominees Limited, AKA Harrier Holdings Limited,

### Defendants-Appellants.

By order dated July 5, 2023, attached as Exhibit A, this Court granted leave to appeal to 18 petitions and ordered the resulting appeals be Consolidated and be heard in Tandem with appeals consolidated under 2d Cir. 22-2101.

Upon consideration of the joint motion filed by Appellants and Appellees on July 27, 2023 for case management relief, pursuant to FRAP 2 and FRAP 3(b)(2), the Court finds that good cause exists to grant the requested relief.

It is hereby ORDERED:

1. Appeal 23-965, Fairfield Sentry Limited v. UBS AG, shall be the lead appeal. A complete list of the Consolidated Appeals filed by the parties with the instant motion is included as Exhibit B.
2. The short title for the Consolidated Appeals shall be “In Re: Fairfield Sentry Limited”. The parties may use the short title in lieu of a full caption for any and all filings.
3. Parties shall make filings on the docket of the lead appeal, 23-965, which shall be deemed filed in all appeals listed in Exhibit B.
4. Motions that seek relief in an individual appeal shall be filed in the individual appeal and the lead appeal.
5. Counsel representing Appellants are listed in Exhibit C to this order. Counsel representing Appellees are listed in Exhibit D to this order.
6. All counsel shall file the required appearance forms in each appeal consistent with the requirements of Local Rules 12.3 and 46.1.
7. For ease of filing and communication between and among Appellants, Cleary Gottlieb, Steen & Hamilton LLP (“Cleary Gottlieb”) is designated as Appellant Liaison Counsel.
8. Cleary Gottlieb shall facilitate communication between counsel for Appellants and counsel for Appellees and the Court. Cleary Gottlieb shall also coordinate the filing of papers to avoid duplication in filings to the extent possible.

9. No attorney at Cleary Gottlieb shall be deemed to represent any Appellants other than that firm's own client(s).

10. All drafts of briefs and any motions in the appeals and communications related thereto exchanged (a) between and among any of the appellants and/or their respective attorneys as a group or (b) between and among any of the appellees and/or their respective attorneys as a group shall be deemed privileged communications and/or work product, subject to a common-interest privilege.

11. Within 14 days of the entry of this order, Appellants shall file Form C in 23-965 that shall apply to the Consolidated Appeals.

12. Within 14 days of the entry of this order, Appellants shall file Form D in 23-965 that shall apply to the Consolidated Appeals.

13. The parties shall file consolidated briefs pursuant to the following schedule:

a) Appellant's consolidated principal brief is due on or before September 6, 2023

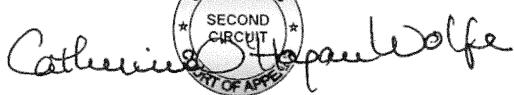
b) Appellees' consolidated opposition brief is due on or before October 20, 2023.

c) Appellant's consolidated reply brief is due on or before November 17, 2023.

14. No party's substantive rights shall be prejudiced by this Order.

15. The Clerk is directed to amend the docket to conform with this Order.

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe