

# LUXALPHA SICAV en liquidation judiciaire

## Communiqué des liquidateurs

Numéro 33

*Unofficial English translation of the French original/ **the French version prevails***

### **Extraordinary General Meeting of Shareholders Madoff Victim Fund**

The liquidators inform that the documents relating to the Extraordinary General Meeting dated November 13, 2013 will be sent by registered mail to the Sicav's shareholders on December 12, 2013.

In this same letter, the liquidators invite the shareholders and their potential clients to analyse the mechanisms defined by the Madoff Victim Fund, the consequences of filing a claim or not and to decide upon the appropriateness to personally file a claim with the Madoff Victim Fund.

In order to enable the shareholders and/or their potential clients to file a claim with the Madoff Victim Fund, a confirmation of the shares recorded in the share register of the Sicav is attached to the above letter. The liquidators invite the shareholders to communicate this information and documents to their potential clients, enabling them to perform an individual analysis and to take their own decision whether to file a personal claim. In this regard, the liquidators make reference to the CSSF's position described in their statement dated May 27, 2009.

The liquidators have analyzed the impact of the Madoff Victim Fund. They have decided to file a claim with the Madoff Victim Fund primarily on behalf of the Sicav, victim of BMIS' actions, and on a subsidiary basis on behalf of the general estate of the Sicav's shareholders and creditors. This claim will include a cash flow statement between BMIS/the account UBS FBO LUXALPHA with BMIS and the LUXALPHA account with UBS, but it will not provide any identification of shareholders and/or creditors. The claim and its appendices will be published in due course on the liquidation's web site, enabling whom it may concern to use such information for filing a personal claim.

The Madoff Victim Fund matter will be closely monitored by the liquidators who will communicate accordingly. Such communication is likely to consist of releases on the web site and/or of letters to the shareholders. Therefore, the liquidators advise to regularly visit the liquidation's website.

Luxembourg, December 11, 2013

The liquidators

Alain RUKAVINA

Paul LAPLUME