
TABLE OF CONTENTS

Introduction	1
Chapter 1: 1992 Investigation of Avellino & Bienes	11
SEC Alerted of Investments Made By Avellino & Bienes	11
SEC Suspected Avellino & Bienes Was Selling Unregistered Securities and Running a Ponzi Scheme	12
Avellino & Bienes Charged With Selling Unregistered Securities	12
Conclusion	13
Chapter 1: Test Your Knowledge	15
Chapter 1: Solutions and Suggested Responses	17
Chapter 2: SEC Review of 2000 and 2001 Markopolos Complaints	19
Markopolos Approached the SEC's Boston Office in May 2000 With Evidence That Madoff Was Operating a Ponzi Scheme	19
Markopolos Made a Second Submission to the Boston Office in March 2001	22
Chapter 2: Test Your Knowledge	29
Chapter 2: Solutions and Suggested Responses	31
Chapter 3: SEC 2004 Office of Compliance Inspections and Examinations (OCIE)	
Cause Examination of Madoff	33
An Employee of a Registered Hedge Fund Provided the OCIE Investment Management Group With a Detailed Complaint About Madoff	33
SRO Group Planning Its Examination of Madoff in December 2003	39
Conduct of the Examination	43
The Madoff Examination Was Halted	54
OCIE and NERO Learned of Their Parallel Examinations From Madoff	57
OCIE Exam Was Concluded Without a Closing Report	58
Summary of FTI Engagement Team Expert Analysis	58
Chapter 3: Test Your Knowledge	65
Chapter 3: Solutions and Suggested Responses	67

Chapter 4: SEC 2005 NERO Examination of Madoff	71
Renaissance Technologies E-Mails Questioned Whether Madoff Was Involved in Illegal Activity	71
Renaissance Employees Suspected Madoff Was Misrepresenting His Trading	72
Renaissance E-Mails Raised Significant Red Flags for Investment Management Examiners	74
Nero Investment Adviser Examination Group Referred the E-Mails to NERO Broker-Dealer Examination Group	75
Examination of Madoff Was Commenced	76
Examiners Performed Pre-Examination Work	81
NERO On-Site Examination Began Almost a Year After Referral Was Made	82
Examiners Learned From Madoff That Ocie Had Been Conducting Own Examination of Madoff	91
2003-2004 OCIE Examination Finished Without Conclusions	92
NERO Examination Continued	92
NEE Did Not Allow the Examiners to Visit Feeder Funds	99
Examination Was Concluded	100
Summary of FTI Engagement Team Expert Analysis	102
Chapter 4: Test Your Knowledge	107
Chapter 4: Solutions and Suggested Responses	109
Chapter 5: SEC 2006 Investigation of Markopolos Complaint	113
Markopolos Made a Third Submission to the Boston Office in October 2005	113
Madoff Testifies	139
Enforcement Staff Receives Second Tip Regarding Norman Levy	156
Markopolos Attempted to Send a Second Version of the 2005 Submission	156
Enforcement Staff's Reflections	157
OIG Analysis of Factors in the SEC's Failure to Discover Madoff's Ponzi Scheme	159
Chapter 5: Test Your Knowledge	163
Chapter 5: Solutions and Suggested Responses	167
Chapter 6: Allegations of Improper Influence	171
OIG Found That Madoff Participated in SEC Panels and Events	171
OIG Investigation Found That the SEC Secured an Exemption for a Short Sale Rule for Bernard Madoff	172
OIG Investigation Found That on Occasion Over the Years, the SEC Visited Madoff's Offices	172
OIG Investigation Found No Evidence of Improper Influence By Senior SEC Officials	173
OIG Investigation Found No Evidence of Inappropriate Financial or Other Relationships With Madoff	175
Evidence of Awareness By Examiners and Investigators of Madoff's Stature and Ancillary Role His Stature Played in Their Work	175
Eric Swanson's Relationship With Shana Madoff	178
Chapter 6: Test Your Knowledge	185
Chapter 6: Solutions and Suggested Responses	187

Conclusion	189
Glossary	191
Index	193
Final Exam Copy	195