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FEB – 5 2014

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	**Chapter 11**
MF GLOBAL HOLDINGS LTD., et al.,	**Case No. 11-15059 (MG)**
Debtors	**(Jointly Administered)**

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SIMON E. BRADLEY'S SUR-REPLY TO PLAN ADMINISTRATOR'S REPLY TO THE FOURTEENTH OMINBUS OBJECTION (CLAIM NO. 1774)

1. Acknowledging the Plan Administrator's assertion that upon objection, the burden of proof shifts to the claimant to demonstrate the validity of the claim (see Sherman v. Novak (In re Reilly), 245 B.R. 768, 773 (B.A.P. 2d Cir. 2000); *Motors Liquidation Co.* 2013 U.S. Dist. LEXIS 4379, at *7; *In re Oneida Ltd.*, 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); *In re Adelphia Commc'ns Corp.*, No. 02-41729, 2007 Bankr. LEXIS 660 at *15 (Bankr. S.D.N.Y. Feb. 20, 2007); *In re Rockefeller Ctr. Props.*, 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000), I submit this affirmation as evidence of the timely filing of Simon E. Bradley's claim.
2. I hereby swear and affirm under the penalties of perjury that on January 27, 2012 I mailed via United States Postal Service 1st class mail the letter and Proof of Claim form executed by Simon E. Bradley attached hereto as Exhibit A to the following address:

   MF Global Inc. Claims Processing Center
   c/o Eqip Bankruptcy Solutions LLC
   PO Box 3656
   Portland, OR 97208-3656
3. This affirmation is evidence of the timely filing of the proof of claim. Affirmations of service have long been deemed sufficient evidence of proper service.

4. Providing proof now due to the denial of timely receipt should have no effect on the propriety or timeliness of the original filing of the proof of claim. A delay in filing the proof of service is not a jurisdictional defect so long as the service itself followed the requirements of the statute. Windfield v. C & C Trucking, No. 02-CV-7688, 2003 WL 21749610, at *2-3 (S.D.N.Y. July 29, 2003). Pursuant to Fed.R.Civ.P. 4(I)(3) "[f]ailure to prove service does not affect the validity of service" and "[t]the court may permit proof of service to be amended. Dezonie v. Asset Protection & Security, Inc., No. 08CV11261 (S.D.N.Y. 06/30/2009). There is no indication on the record that the filing process followed was in error. There is no requirement imposed upon claimant to have the filing time stamped or sent return receipt. However, affirmations of service providing sufficient evidence of service are common practice.
5. I have practiced law since 1991 and in more than twenty-two years of practice there has never been so much as a blemish on my record to place my veracity in question. I state for the record that this proof of claim was mailed to the correct address stated above on January 27, 2012 rendering Simon E. Bradley's proof claim filed timely.

Dated: January 31, 2014
New York, New York

Affirmed,

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