

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEW YORK LAW SCHOOL, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

ASCOT PARTNERS, L.P., J. EZRA MERKIN
and BDO SEIDMAN LLP,

Defendants.

Civil Action No. 08-CV-10922-DAB

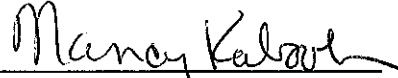
PLEASE TAKE NOTICE that, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), plaintiff New York Law School (“NYLS”), hereby moves this Court at the United States District Court for the Southern District of New York, located at 500 Pearl Street New York, NY 10007-1312, at a date and time to be determined by the Court, for an Order appointing NYLS as Lead Plaintiff in the this action and any subsequently filed related cases, and approving NYLS selection of Lead Counsel.

This Motion is based on the accompanying Memorandum of Law in support thereof, the Declaration of Nancy Kaboolian, and all prior pleadings and proceedings herein, and such other written or oral argument as may be permitted by the Court.

Dated: February 16, 2009

Respectfully Submitted,

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