

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REPEX VENTURES S.A, on Behalf of Itself)
and All Others Similarly Situated,)

Plaintiff,)

v.)

BERNARD L. MADOFF; BANK MEDICI)
S.A.; SONJA KOHN; PETER)
SCHEITHAUER; HERALD USA FUND;)
HERALD LUXEMBURG FUND; BANK)
AUSTRIA CREDITANSTALT; UNICREDIT)
S.A.; PRIMEO SELECT FUND; PRIMEO)
EXECUTIVE FUND; PIONEER)
ALTERNATIVE INVESTMENTS; THEMA)
INTERNATIONAL FUND PLC, ERNST &)
YOUNG S.A., and HSBC SECURITIES)
SERVICES, S.A.,)

Defendants.)

Civil Action No. 09-cv-289-RMB
(ECF Case)

RELATED CASE AFFIRMATION

Timothy J. Burke hereby affirms:

1. I am an attorney with the law firm of Stull, Stull & Brody, counsel for plaintiff in the above-entitled action which alleges dissemination of false and misleading financial information to the investing public.

2. Upon information and belief, this action is related to the action captioned *Horst Leonhardt, etc. v. Bernard L. Madoff, et al.*, United States District Court, Southern District of New York, Case No. 09 CIV 2032, filed March 5, 2009, which also asserts similar claims.

3. Accordingly, it is respectfully submitted that this action should be assigned as a related case to the Honorable Richard M. Berman.

Dated: March 6, 2009

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Plaintiff's Counsel

CERTIFICATE OF SERVICE

I hereby certify, this 6th day of March, 2009, that I caused a true and correct copy of the **RELATED CASE AFFIRMATION** to be served via First Class Mail and First Class International Mail on all parties listed on the attached service list.

Dated: March 6, 2009

By: s/Timothy J. Burke

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