

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 7/6/10

09 Civ. 0289 (RMB)

ECF Case

**STIPULATION AS TO
WAIVER OF SERVICE**

Pioneer Alternative Investment Management (Dublin) Ltd., Pioneer Global Asset Management S.p.A and UniCredit S.p.A (together, the "Pioneer Defendants") have been named defendants in certain amended complaints filed in the captioned actions by lead plaintiffs Repex Ventures, S.A., Shmuel Cabilly, and Neville Seymour Davis (collectively, "Lead Plaintiffs").

The parties hereto, through their undersigned counsel, stipulate and agree as follows:

1. The Pioneer Defendants agree to Lead Plaintiffs' request to waive (and hereby waive) service of summons and amended complaints in the captioned actions, it being understood and agreed that such waiver is without prejudice to, or waiver of, all defenses (other than the adequacy of service) that the Pioneer Defendants may have in the captioned actions, including, without limitation, all personal and subject matter jurisdictional defenses.

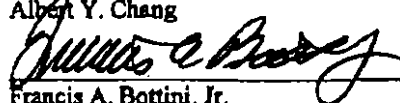
2. Pursuant to the Court's order at its March 30, 2010 hearing, the Pioneer Defendants shall not be required to serve or file any answer or motion challenging the pleadings except as ordered by the Court in a further briefing or answering schedule which will be sought only after all defendants whom Lead Plaintiffs wish to serve are served or waive service, and such defendants as Lead Plaintiffs are unable or unwilling to

serve are dismissed from the amended complaints. The Pioneer Defendants and Lead Plaintiffs agree to confer with each other and other named defendants regarding the briefing or answering schedule to be proposed to the Court.

3. This stipulation may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one stipulation.

Dated: San Diego, California
June ~~29~~, 2010

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Dated: Los Angeles, California
June ~~29~~, 2010

STULL, STULL & BRODY
Jules Brody
Timothy J. Burke

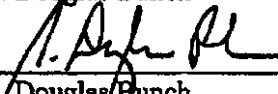


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Dated: Washington, District of Columbia
June 29, 2010

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S. Douglas Bunch

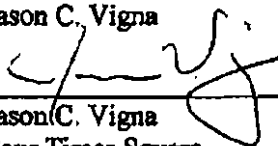


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Dated: New York, New York
June 28, 2010

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U.S.D.J.
7/8/10