

**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.

ECF CASE

Civil Action No.: 1:09-cv-00289-RMB

ADDITIONAL CAPTION ON NEXT PAGE

**NOTICE OF MOTION OF PETER BRANDHOFER FOR CONSOLIDATION
AND FOR APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL**

HORST LEONHARDT, on Behalf of Himself 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, HELMUTH E. FREY, FRIEDRICH
PFEFFER, FRANCO MUGNAI, ALBERTO
BENBASSAT, STEPHANE BENBASSAT,
GENEVALOR, BENBASSAT & CIE, DAVID T.
SMITH, GERALD J.P. BRADY, DANIEL
MORRISEY, ERNST & YOUNG S.A., ERNST &
YOUNG GLOBAL LIMITED, HSBC HOLDINGS
PLC, HSBC INSTITUTIONAL TRUST SERVICES
(IRELAND) LIMITED, HSBC SECURITIES
SERVICES (IRELAND) LIMITED, HSBC
SECURITIES SERVICES, S.A.,
PRICEWATERHOUSECOOPERS, CHARTERED
ACCOUNTANTS,
PRICEWATERHOUSECOOPERS
INTERNATIONAL LIMITED and FRIEHLING &
HOROWITZ,

Defendants.

ECF CASE

Civil Action No.: 1:09-cv-02032-UA

PLEASE TAKE NOTICE that, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), Peter Brandhofer (“Brandhofer”) will move this Court, at a time and place to be determined, for an Order:

(1) consolidating the above-captioned actions (the “Actions”) filed on behalf of “all persons and entities who invested in the Herald USA Fund, Herald Luxemburg Fund, Primeo Select Funds and the Thema International Fund...between January 12, 2002 through and including January 12, 2008” (the “Class”);

(2) appointing Brandhofer as Lead Plaintiff of the Actions, on behalf of the Class, pursuant to Section 21(D)(a)(3)(B) of the PSLRA; and

(3) approving Brandhofer’s selection of Zwerling, Schachter & Zwerling, LLP as Lead Counsel.

This motion is supported by the accompanying Memorandum of Law in Support of Peter Brandhofer’s Motion for Consolidation and for Appointment of Lead Plaintiff and Lead Counsel; the Affidavit of Robert S. Schachter in Support of Peter Brandhofer’s Motion for Consolidation and for Appointment of Lead Plaintiff and Lead Counsel, and the exhibits attached thereto; the [Proposed] Order for Consolidation and for Appointment of Lead Plaintiff and Lead Counsel; all of the prior pleadings and proceedings had herein; and such other written and/or oral argument as may be presented to the Court.

Dated: New York, New York
March 13, 2009

Respectfully submitted,

**ZWERLING, SCHACHTER &
ZWERLING, LLP**

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Peter Brandhofer*