UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE HERALD, PRIMEO AND : THEMA FUNDS SECURITIES : LITIGATION :

09 Civ. 0289 (RMB) (HBP)

ECF CASE

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE of the appearance of the undersigned counsel on

behalf of defendant Herald (LUX) through Messrs. Ferdinand Burg and Carlo Reding,

the Court Appointed Liquidators for Herald (LUX) (collectively, the "Liquidators").

The Liquidators reserve all rights, objections and defenses in the matter,

including, but not limited to, issues of jurisdiction. I certify that I am admitted to practice in this Court.

Dated: October 19, 2010

By: <u>/s/ Brett S. Moore</u> Brett S. Moore Porzio, Bromberg & Newman, P.C. 100 Southgate Parkway P.O. Box 1997 Morristown, New Jersey 07962-1997 (973) 538-4006 (Phone) (973) 538-5146 (Fax) <u>bsmoore@pbnlaw.com</u>

> Attorneys for Messrs. Ferdinand Burg and Carlo Reding, the Court Appointed Liquidators for Herald (LUX)