## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

REPEX VENTURES S.A., on Behalf of Itself and	)	
All Others Similarly Situated,	)	
	)	
Plaintiff,	) (	ivil Action No. 09-CV-289-RMB
	)	
V.	) <u>C</u>	LASS ACTION
	)	
BERNARD L. MADOFF; BANK MEDICI S.A.;	) E	CF CASE
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.		
Derenualits.	/	
	)	

## NOTICE OF MOTION OF THE REPEX GROUP FOR APPOINTMENT AS LEAD PLAINTIFF PURSUANT TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVAL OF SELECTION OF LEAD COUNSEL

PLEASE TAKE NOTICE that Movants Repex Ventures S.A. and Radovan Fijember (the "Repex Group" or "Movant"), upon the Declaration of Timothy J. Burke dated March 13, 2009, and the exhibits annexed thereto, the accompanying Memorandum of Law, all of the prior pleadings and proceedings had herein, and such other evidence as the Court may consider at the hearing on this motion, hereby respectfully move this Court for an order in the form filed herewith: (i) appointing the Repex Group as Lead Plaintiff in the actions pursuant to the Private Securities Litigation Reform Act of 1995 and (ii) approving Movant's selection of Lead Counsel. Dated: March 13, 2009

Respectfully submitted,

## **STULL, STULL & BRODY**

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Counsel for Movant the Repex Group and Proposed Lead Counsel For Plaintiffs and The Class