

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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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. )

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Civil Action No. 09-CV-289-RMB

**CLASS ACTION**

**ECF CASE**

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

I hereby certify, this 13th day of March, 2009, that I caused a true and correct copies of the following:

**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**

**MEMORANDUM OF LAW IN SUPPORT OF THE 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**

**DECLARATION OF TIMOTHY J. BURKE IN SUPPORT OF THE 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**

**[PROPOSED] ORDER GRANTING THE 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**

to be served via First Class Mail and First Class International Mail on all parties listed on the attached service list.

Dated: March 13, 2009

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