

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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REPEX VENTURES S.A, on Behalf of Itself	:	Civil Action No.: 09-cv-00289-RMB
and All Others Similarly Situated,	:	
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
v.	:	
	:	
BERNARD L. MADOFF; BERNARD L.	:	
MADOFF INVESTMENT SECURITIES;	:	
BANK MEDICI S.A.; SONJA KOHN; PETER	:	
SCHEITHAUER; HERALD USA FUND;	:	
HERALD LUXEMBURG FUND; BANK	:	
AUSTRIA CREDITANSTALT; UNICREDIT	:	
S.A.; PRIMEO SELECT FUNDS; PIONEER	:	
ALTERNATIVE INVESTMENTS; THEMA	:	
INTERNATIONAL FUND PLC; ERNST &	:	
YOUNG LLP, and HSBC HOLDINGS PLC,	:	
	:	
Defendants.	:	
	:	
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HORST LEONHARDT, on Behalf of Himself	:	Civil Action No.: 09-cv-02032-UA
and All Others Similarly Situated,	:	
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
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,	:	
	:	
[Caption continued on following page]	:	
	:	

**NOTICE OF MOTION OF NÜRNBERGER VERSICHERUNG
AKTIENGESELLSCHAFT ÖSTERREICH FOR CONSOLIDATION
OF RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF,
AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL**

THEMA INTERNATIONAL FUND PLC, :
HELMUTH E. FREY, FRIEDRICH :
PFEFFER, FRANCO MUGNAI, ALBERTO :
BENBASSAT, STÉPHANE BENBASSAT, :
GENEVALOR, BENBASSAT & CIE, DAVID :
T. SMITH, GERALD J. P. BRADY, DANIEL :
MORRISSEY, 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. :
_____ X

PLEASE TAKE NOTICE that Nürnberger Versicherung Aktiengesellschaft Österreich (“Nürnberger”), will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) consolidating the related actions pending in this District; (ii) appointing Nürnberger as Lead Plaintiff; (iii) approving Nürnberger’s selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Nürnberger submits herewith a Memorandum of Law and the Declaration of Samuel H. Rudman, dated March 13, 2009.

DATED: March 13, 2009

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD

/s/ Samuel H. Rudman
SAMUEL H. RUDMAN

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Additional Counsel for Proposed Lead Plaintiff
Nürnberger

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 13, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

s/ Samuel H. Rudman

SAMUEL H. RUDMAN