

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]	:	

**DECLARATION OF SAMUEL H. RUDMAN IN SUPPORT OF THE 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. :  
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Samuel H. Rudman declares, under penalty of perjury:

1. I am a member of Coughlin Stoia Geller Rudman & Robbins LLP (“Coughlin Stoia”), proposed Lead Counsel for Nürnberger Versicherung Aktiengesellschaft Österreich (“Nürnberger”). I submit this Declaration in support of the Motion of Nürnberger for Consolidation of Related Actions, Appointment as Lead Plaintiff and for Approval of Selection of Lead Counsel.
2. Attached hereto as Exhibit A is a true and accurate copy of the notice regarding the pendency of this action, which was published on *Business Wire* on January 12, 2009.
3. Attached hereto as Exhibit B is a true and accurate copy of a loss chart presenting the transactions in the subject securities and summarizing the estimated losses of Nürnberger at approximately \$941,000 in connection with its investments in the Primeo Select Fund.
4. Attached hereto as Exhibit C is the certification of Hans-Hermann Knorr and Anton Steinbrecher, duly authorized representatives of Nürnberger.

5. Attached hereto as Exhibit D is a true copy of the firm resume of Coughlin Stoia, Nürnberger's proposed Lead Counsel in this action.

DATED: March 13, 2009

*s/ Sam Rudman*  
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SAM RUDMAN

**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.

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s/ Sam Rudman  
SAM RUDMAN