

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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.)

Civil Action No. 09-cv-289 (RMB)

CLASS ACTION

ECF CASE

[Additional caption on next page]

**NOTICE OF MOTION OF REPEX VENTURES S.A. FOR CONSOLIDATION
OF ALL RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF PURSUANT
TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934,
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

HORST LEONHARDT, on Behalf of Himself)
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, 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.)

Civil Action No. 09-cv-2032 (RMB)

CLASS ACTION

ECF CASE

[Additional caption on next page]

FABIAN PERRONE and CHIA-HUNG KAO,)

Civil Action No. 09-cv-2558 (SHS)

Plaintiff(s),)

CLASS ACTION

v.)

ECF CASE

ALBERTO BENBASSAT, STÉPHANE)

BENBASSAT, GERALD J.P. BRADY,)

NICOLA A. CORSETTI, NIGEL H.)

FIELDING, HELMUTH E. FREY, JOHN)

HOLLIWELL, KARL E. KANIAK, SONJA)

KOHN, ALBERTO LA ROCCA, DANIEL)

MORRISSEY, FRANCO MUGNAI, DECLAN)

MURRAY, HERALD C. NOGRASEK,)

JAMES. E. O'NEILL, FRIEDRICH PFEFFER,)

URSULA RADELLESZCZYNSKI, HANNES)

SALETA, PETER SCHEITHAUER, ALFRED)

SIMON, DAVID T. SMITH, JOHANNES P.)

SPALEK, WERNER TRIPOLT, MICHAEL)

WHEATON, BA WORLDWIDE FUND)

MANAGEMENT, LTD, BANK AUSTRIA)

CREDITANSTALT, BANK OF BERMUDA)

(CAYMAN) LIMITED, BANK OF)

BERMUDA (LUXEMBOURG) S.A., BANK)

MEDICI AG, ERNST & YOUNG, PRIMEO)

FUND, HERALD FUND SPC, HSBC)

HOLDINGS PLC, HSBC INSTITUTIONAL)

TRUST SERVICES (IRELAND) LTD., HSBC)

SECURITIES SERVICES (IRELAND) LTD.,)

HSBC SECURITIES SERVICES)

(LUXEMBURG) S.A., PIONEER)

ALTERNATIVE INVESTMENT)

MANAGEMENT LIMITED,)

PRICEWATERHOUSECOOPERS, THEMA)

INTERNATIONAL FUND PLC, and)

UNICREDIT S.A.,)

Defendant(s).)

PLEASE TAKE NOTICE that Movant Repex Ventures S.A. (the “Repex” or “Movant”), upon the Declaration of Timothy J. Burke dated May 4, 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 moves this Court for an order in the form filed herewith: (i) consolidating all related actions; (ii) appointing Repex as Lead Plaintiff in the actions pursuant to the Private Securities Litigation Reform Act of 1995; and (iii) approving Movant’s selection of Lead Counsel.

Dated: May 4, 2009

Respectfully submitted,

STULL, STULL & BRODY

By: s/ Timothy J. Burke
Timothy J. Burke (Admitted *Pro Hac Vice*)
10940 Wilshire Boulevard, Suite 2300
Los Angeles, CA 90024
Tel: 310-209-2468
Fax: 310-209-2087

STULL, STULL & BRODY

Jules Brody (JB-9151)
Patrick K. Slyne (PS-1765)
6 East 45th St.
New York, NY 10017
Tel: 212-687-7230
Fax: 212-490-2022

***Counsel for Movant Repex Ventures, S.A.
and Proposed Lead Counsel For Plaintiffs
and The Class***

CERTIFICATE OF SERVICE

I hereby certify, this 4th day of May, 2009, that I caused a true and correct copies of the **NOTICE OF MOTION OF REPEX VENTURES S.A. FOR CONSOLIDATION OF ALL RELATED ACTIONS, 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 May 4, 2009

STULL, STULL & BRODY

By: s/ Timothy J. Burke
Timothy J. Burke (Admitted *Pro Hac Vice*)
10940 Wilshire Boulevard, Suite 2300
Los Angeles, CA 90024
Tel: 310-209-2468
Fax: 310-209-2087

SERVICE LIST

William P. Hammer, Esq.
ERNST & YOUNG LLP
5 Times Square
36th Floor
New York, NY 10036-6530
Tel: (212) 773-3865
Fax: (212) 773-3928

Lawrence J. Zweifach, Esq.
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Tel: (212) 351-2625
Direct Fax: (212) 351-6225

William J. O'Brien, Esq.
SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
Four Times Square
New York, NY 10036-6522
Tel: (212) 735-3000
Fax: (917) 777-4128

Steven J. Toll
Daniel S. Sommers
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, DC 20005
Tel: (202) 408-4600
Fax: (202) 408-4699

Catherine A. Torell
COHEN MILSTEIN SELLERS & TOLL
PLLC
150 East 52nd Street
30th Floor
New York, NY 10022
Tel: (212) 838 7797
Fax: (212) 838-7745

Samuel H. Rudman
David A. Rosenfeld
COUGHLIN STOIA GELLER RUDMAN
& ROBBINS LLP
58 South Service Road
Suite 200
Melville, NY 11747
Tel: (631) 367-7100
Fax: (631) 367-1173

Sabrina E. Tirabassi
COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
DOUGLAS WILENS
120 E. Palmetto Park Road
Suite 500
Boca Raton, FL 33432-4809
Tel: (561) 750-3000
Fax: (561) 750-3364

Frank A. Bottini
JOHNSON BOTTINI, LLP
655 W. Broadway
Suite 1400
San Diego, CA 92101
Tel: (619) 230-0063
Fax: (619) 233-5535

Jacob Sabo, Esq.
The Tower
3 Daniel Frisch St.
Tel Aviv Israel
Tel: (972) 36078888
Fax: (972) 36078889

Bank Austria Creditanstalt
1010 Wien, Schottengasse 6-8
A-1010 Vienna
Austria

Bank Medici S.A.
Operngasse 6/4
Vienna, 1010
Austria

Stéphane Benbassat
7, rue Versonnex
CH-1207 Geneva
Switzerland

Gerald J. P. Brady
Birch Hollow
Upper Kilmacud Road
Dundrum
Dublin 14
Ireland

Ernst & Young Global Limited
Becket House, 1 Lambeth Palace Rd.
London SE1 7EU
United Kingdom

Ernst & Young S.A.
7 Parc d'Activite Syrdall
Munsbach
L5365
Luxembourg

Helmuth E. Frey
Operngasse 6/4
Vienna, 1010
Austria

Genevalor, Benbassat & Cie
7, rue Versonnex
CH-1207 Geneva
Switzerland

Herald Luxemburg Fund
Operngasse 6/4
Vienna, 1010
Austria

Herald USA Fund
Operngasse 6/4
Vienna, 1010
Austria

HSBC Holdings plc
c/o Chris Wilcockson
Managing Director, HSS
40 Avenue Monterey
B.P. 413, L-2014
Luxembourg

HSBC Institutional Trust Services (Ireland)
Limited
c/o Ronnie Griffin
1 Grand Canal Square
Grand Canal Harbour
Dublin 2
Ireland

HSBC Securities Services S.A.
c/o Chris Wilcockson
40 Avenue Monterey
B.P. 413, L-2014
Luxembourg

HSBC Securities Services (Ireland) Limited
c/o Rosemary Leahy
1 Grand Canal Square
Grand Canal Harbour
Dublin 2
Ireland

Daniel Morrissey
William Fry Solicitors
Fitzwilton House
Wilton Place
Dublin 2
Ireland

Franco Mugnai
Via Leone XIIIⁿ.27
I-20145 Milan
Italy

Friedrich Pfeffer
WFE-Consulting
Fuhrenweg 27
D-31515 Wunstorf
Germany

Pioneer Alternative Investments
1 George's Quay Plaza
George's Quay
Dublin 2
Ireland

PricewaterhouseCoopers, Chartered
Accountants
One Spencer Dock
North Wall Quay
Dublin 1
Ireland

PricewaterhouseCoopers International
Limited
1 Embankment Place
London
WC2N 6RH
United Kingdom

Peter Scheithauer
Operngasse 6/4
Vienna, 1010
Austria

David T. Smith
c/o Equus Asset Management Partners
Bermudiana Arcade
27 Queen Street
Hamilton HM 11
Bermuda

Thema International Fund plc
c/o NCB Stockbrokers
3 George's Dock IFSC
Dublin 1
Ireland

Unicredit S.A.
Piazza Cordusio
20123 Milan
Italy