

**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; BERNARD L. MADOFF
INVESTMENT SECURITIES; BANK MEDICI S.A.;
SONJA KOHN; PETER SCHEITHAUER; HERALD
USA FUND; HERALD LUXEMBERG 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.

Case No. CV-09-00289 (RMB)

**NOTICE OF PENDENCY OF BANKRUPTCY PROCEEDINGS OF BERNARD L.
MADOFF AND OF AUTOMATIC STAY**

PLEASE TAKE NOTICE that, on April 13, 2009, an involuntary bankruptcy petition was filed against Bernard L. Madoff ("Madoff") and an Order for Relief was entered by the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") on May 7, 2009. A true copy of the Order for Relief is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that, on June 9, 2009, the Bankruptcy Court entered an Order substantively consolidating the Madoff estate with that of Bernard L. Madoff Investment Securities LLC (Adv. Pro. No. 08-01789).

PLEASE TAKE FURTHER NOTICE that, in light of Madoff's bankruptcy, the commencement or continuation of actions against Madoff as a defendant (including the instant

one) is automatically stayed pursuant to section 362 of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code"), which provides in relevant part:

[A] petition filed under section 301,302 or 303 of this title...operates as a stay, applicable to all entities, of the commencement or continuation, including the issues or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title...

PLEASE TAKE FURTHER NOTICE that, pursuant to section 362 of the Bankruptcy Code, the instant action is stayed unless and until relief from the stay is obtained from the Bankruptcy Court.

Dated: New York, New York
July 27, 2009

/s/ Marc Hirschfield

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Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC And Bernard L. Madoff*