

**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

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

ORIGINAL

FILED
U.S. DISTRICT COURT
2009 FEB 13 PM 1:45
S.D.N.Y.

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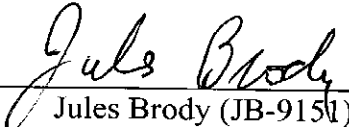
Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Jules Brody a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Timothy J. Burke, Esq.
STULL, STULL & BRODY
10940 Wilshire Boulevard, Suite 2300
Los Angeles, CA 900245
Tel: (310) 209-2468
Fax: (310) 209-2087
Email: service@ssbla.com

Timothy J. Burke is a member in good standing of the Bar of the State of California. There are no pending disciplinary proceedings against Timothy J. Burke in any State or Federal court.

Dated: February 12, 2009

STULL, STULL & BRODY

By: 
Jules Brody (JB-9151)

6 East 45th Street
New York, New York 10017
(212) 687-7230 (Tel)
(212) 490-2022 (Fax)

STULL, STULL & BRODY
Timothy J. Burke
10940 Wilshire Boulevard
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Los Angeles, California 90024
(310) 209-2468 (Tel)
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Email: service@ssbla.com

Plaintiff's Counsel

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Defendants.)

Civil Action No. 09-cv-289-RMB

**AFFIDAVIT OF JULES BRODY IN
SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

ORIGINAL

State of New York)
)
County of New York)

JULES BRODY, being duly sworn, hereby deposes and says as follows:

1. I am an attorney with the firm of Stull, Stull & Brody, counsel for Plaintiff in this matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Timothy J. Burke as counsel *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on June 29, 1964. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Mr. Burke since 1997.

4. Mr. Burke is an associate of Stull, Stull & Brody in the Los Angeles, California office.

5. I have found Mr. Burke to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Timothy J. Burke, *pro hac vice*.

7. I respectfully submit a proposed order that the motion to admit Timothy J. Burke, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Timothy J. Burke, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

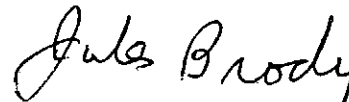
Dated: February 12, 2009

City, State: New York, NY

Notarized: 

JAMES HENRY GLAVIN IV
Notary Public, State of New York
No. 02GL6109847
Qualified in Saratoga County
Commission Expires May 24, 2008
7/10/12

Respectfully submitted,



Jules Brody (JB-9151)

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Defendants.)

Civil Action No. 09-cv-289-RMB

**ORDER FOR ADMISSION PRO
HAC VICE ON WRITTEN MOTION**

Upon the motion of Jules Brody, attorney for Plaintiff Repex Ventures S.A. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that:

Timothy J. Burke, Esq.
STULL, STULL & BRODY
10940 Wilshire Boulevard, Suite 2300
Los Angeles, CA 900245
Tel: (310) 209-2468
Fax: (310) 209-2087
Email: service@ssbla.com

is admitted to practice *pro hac vice* as counsel for Plaintiff Repex Ventures S.A. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated:
City, State:

Honorable Richard M. Berman
United States District Court Judge



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

January 28, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, TIMOTHY JOSEPH BURKE, #181866 was admitted to the practice of law in this state by the Supreme Court of California on April 3, 1996; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "S. La Fontaine".

Sima La Fontaine
Custodian of Membership Records

Certificate of Service

I hereby certify, this 12th day of February 2009, that I caused true and correct copies of the following documents to be served via first class mail on all parties listed on the attached Service List:

1. MOTION TO ADMIT COUNSEL PRO HAC VICE;
2. AFFIDAVIT OF JULES BRODY IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE;
3. ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION;
and
4. CERTIFICATE OF GOOD STANDING.

Dated: February 12, 2009

By: Jason D'Agencia
Jason D'Agencia

Thema Fund
c/o BANK MEDICI S.A.
Operngasse 6/4
Vienna, 1010
Austria

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Bank Austria Creditanstalt
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