

investments, but (ii) failed to fulfill those duties.

13. Accordingly, Plaintiffs assert common law claims for, *inter alia*, breach of fiduciary duty, gross negligence, negligence, unjust enrichment, as well as claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. §§ 78j and 78t(a), and Rules 10b-5(a), (b), and (c), 17 C.F.R. § 240.10b5, promulgated thereunder by the SEC.

14. Plaintiffs bring this action as a class action pursuant to Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure, on behalf of all persons or entities who (i) owned shares of the Primeo Funds on December 10, 2008, or (ii) purchased shares of the Primeo Funds from January 12, 2004 to December 12, 2008 (the "Class Period"), and were damaged thereby due to the wrongful conduct alleged in this Complaint (the "Class"). Excluded from the Class are the defendants; any entity in which defendants have a controlling interest; and the officers, directors, affiliates, legal representatives, heirs, successors, subsidiaries, assigns, or immediate family members of any such individual or entity.

II. THE PARTIES

A. LEAD PLAINTIFF

15. Court-appointed Lead Plaintiff, **Dr. Shmuel Cabilly** ("Dr. Cabilly" or "Lead Plaintiff"), is, and was at all times relevant hereto, a citizen of Israel. As indicated in the attached certification, Dr. Cabilly purchased shares in the Primeo Funds during the Class Period. Due to the activities alleged herein, Dr. Cabilly has lost all, or substantially all, of his investments in the Primeo Funds, and has paid fees for illusory services. Dr. Cabilly invested in the Primeo Funds in U.S. dollars.

16. Plaintiff **Korea Exchange Bank**, as Trustee of the Korea Global All Asset Trust