UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

REPEX VENTURES S.A., on Behalf of Itself and)	
All Others Similarly Situated,)	
)	
Plaintiff,)	Civil Action No. 09-CV-289-RMB
)	
v.)	CLASS ACTION
)	
BERNARD L. MADOFF; BANK MEDICI S.A.;)	ECF CASE
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.)	
)	

NOTICE OF MOTION OF THE REPEX GROUP FOR APPOINTMENT AS LEAD PLAINTIFF PURSUANT TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVAL OF SELECTION OF LEAD COUNSEL

PLEASE TAKE NOTICE that Movants Repex Ventures S.A. and Radovan Fijember (the

"Repex Group" or "Movant"), upon the Declaration of Timothy J. Burke dated March 13, 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 move this Court for an order in the form filed

herewith: (i) appointing the Repex Group as Lead Plaintiff in the actions pursuant to the Private

Securities Litigation Reform Act of 1995 and (ii) approving Movant's selection of Lead Counsel.

Dated: March 13, 2009

Respectfully submitted,

STULL, STULL & BRODY

By: <u>s/Timothy J. Burke</u> 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

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Counsel for Movant the Repex Group and Proposed Lead Counsel For Plaintiffs and The Class

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[PROPOSED] ORDER GRANTING THE MOTION OF THE REPEX GROUP FOR APPOINTMENT AS LEAD PLAINTIFF PURSUANT TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVAL OF SELECTION OF LEAD COUNSEL

This Court, having considered the motion of Movants Repex Ventures S.A. and Radovan Fijember (the "Repex Group" or "Movant") for appointment as lead plaintiff and approval of selection of lead counsel and the memorandum of law and declaration of Timothy J. Burke in support thereof, and good cause appearing therefor, hereby makes the following order:

1. Having considered the provisions of Section 21D (a)(3)(B) of the Securities Exchange Act of 1934, it is hereby ordered that the Repex Group is the "most adequate plaintiff" and, that said movant satisfies the requirements of the Exchange Act. The Court hereby appoints the Repex Group as Lead Plaintiff in this action.

2. Pursuant to § 21D(a)(3)(B)(v) of the Exchange Act, Lead Plaintiff has selected and retained the law firm of Stull, Stull & Brody as Lead Counsel. The Court approves Lead Plaintiff's retention of counsel and appoints Stull, Stull & Brody as Lead Counsel.

SO ORDERED THIS ______ day of ______, 2009:

Honorable Richard M. Berman United States District Judge Southern District of New York