

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 LUXEMBURG 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.

Civil Action No.: 09-cv-00289-RMB

CLASS ACTION

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,

Civil Action No.: 09-cv-02032-UA

CLASS ACTION

[Caption continued on following page]

**NOTICE OF MOTION OF NÜRNBERGER VERSICHERUNG
AKTIENGESELLSCHAFT ÖSTERREICH FOR CONSOLIDATION
OF RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF,
AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL**

DATED: March 13, 2009

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD

/s/ Samuel H. Rudman
SAMUEL H. RUDMAN

58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@csgrr.com
drosenfeld@csgrr.com

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
DOUGLAS WILENS
SABRINA E. TIRABASSI
120 E. Palmetto Park Road, Suite 500
Boca Raton, FL 33432-4809
Telephone: 561/750-3000
561/750-3364 (fax)
dwilens@csgrr.com
stirabassi@csgrr.com

Counsel for Proposed Lead Plaintiff Nürnberger

JOHNSON BOTTINI, LLP
FRANK A. BOTTINI
655 W. Broadway, Suite 1400
San Diego, CA 92101
Telephone: 619/230-0063
619/233-5535 (fax)
frankb@johnsonbottini.com

Additional Counsel for Proposed Lead Plaintiff
Nürnberger

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 13, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

s/ Samuel H. Rudman

SAMUEL H. RUDMAN

UNITED STATES DISTRICT COURT
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SCHEITHAUER; HERALD USA FUND;
HERALD LUXEMBURG FUND; BANK
AUSTRIA CREDITANSTALT; UNICREDIT
S.A.; PRIMEO SELECT FUNDS; PIONEER
ALTERNATIVE INVESTMENTS; THEMA
INTERNATIONAL FUND PLC; ERNST &
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Civil Action No.: 09-cv-00289-RMB

CLASS ACTION

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S.A., PRIMEO SELECT FUND, PRIMEO
EXECUTIVE FUND, PIONEER
ALTERNATIVE INVESTMENTS,

Civil Action No.: 09-cv-02032-UA

CLASS ACTION

[Caption continued on following page]

**[PROPOSED] ORDER CONSOLIDATING THE RELATED ACTIONS, APPOINTING
NÜRNBERGER VERSICHERUNG AKTIENGESELLSCHAFT ÖSTERREICH AS
LEAD PLAINTIFF AND APPROVING ITS SELECTION OF LEAD COUNSEL**

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. :
 :
 _____ x

Having considered the motion of Nürnberger Versicherung Aktiengesellschaft Österreich (“Nürnberger”) for Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel, and the Memorandum of Law and Declaration of Samuel H. Rudman, in support thereof, and good cause appearing therefore:

1. Nürnberger is hereby appointed Lead Plaintiff for the Class pursuant to Section 21D of the Securities Exchange Act of 1934; and
2. The law firm of Coughlin Stoia Geller Rudman & Robbins LLP is hereby appointed Lead Counsel.

IT IS SO ORDERED.

DATED: _____

 THE HONORABLE RICHARD M. BERMAN
 UNITED STATES DISTRICT JUDGE