

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:09-cv-04270-DAB**

Ridge Oak Management, Inc v. Deutsche Bank AG et al

Assigned to: Judge Deborah A. Batts

Lead case: [1:09-cv-01714-DAB](#)

Member cases:

[1:09-cv-02556-DAB](#)

[1:09-cv-03075-DAB](#)

[1:09-cv-03884-DAB](#)

[1:09-cv-03889-DAB](#)

[1:09-cv-04270-DAB](#)

Related Case: [1:09-cv-03075-DAB](#)

Cause: 15:77 Securities Fraud

Date Filed: 04/30/2009

Jury Demand: Plaintiff

Nature of Suit: 850

Securities/Commodities

Jurisdiction: Federal Question

Plaintiff

Ridge Oak Management, Inc

*On behalf of itself and all others similarly
situated*

represented by **Joseph Harry Weiss**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Deutsche Bank AG

Defendant

Deutsche Bank Contingent Capital Trust

III

Defendant

Deutsche Bank Contingent Capital LLC

III

Defendant

Josef Ackermann

Defendant

Anthony Di Iorio

Defendant

Hugo Banziger

Defendant

Lamberti Hermann-Josef

Defendant

Martin Edelmann

Defendant

Peter Sturzinger

Defendant

Marco Zimmermann

Defendant

Detlef Bindert

Defendant

Jonathan Blake

Defendant

UBS Securities LLC

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Defendant

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ATTORNEY TO BE NOTICED

Defendant

**Merrill Lynch, Pierce, Fenner & Smith,
Incorporated**

represented by **Jay B. Kasner**

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LEAD ATTORNEY

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Scott D. Musoff

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ATTORNEY TO BE NOTICED

Defendant

Deutsche Bank Securities, Inc.

Defendant

Banc of America Securities LLC

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Scott D. Musoff

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ATTORNEY TO BE NOTICED

Defendant

**KPMG Deutsche Treuhand-
Gesellschaft**

Defendant

KPMG International

Defendant

Wachovia Capital Markets, LLC

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LEAD ATTORNEY
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Scott D. Musoff
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ATTORNEY TO BE NOTICED

Defendant

Morgan Stanley & Co., Incorporated

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott D. Musoff
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/30/2009	<u>1</u>	COMPLAINT against Martin Edelmann, Peter Sturzinger, Marco Zimmermann, Detlef Bindert, Jonathan Blake, UBS Securities LLC, Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith, Incorporated, Deutsche Bank Securities, Inc., Banc of America Securities LLC, KPMG Deutsche Treuhand-Gesellschaft, KPMG International, Deutsche Bank AG, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Josef Ackermann, Anthony Di Iorio, Hugo Banziger, Lamberti Hermann-Josef. (Filing Fee \$ 350.00, Receipt Number 686874)Document filed by Ridge Oak Management, Inc.(rdz) (Entered: 05/05/2009)
04/30/2009		SUMMONS ISSUED as to Martin Edelmann, Peter Sturzinger, Marco Zimmermann, Detlef Bindert, Jonathan Blake, UBS Securities LLC, Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith, Incorporated, Deutsche Bank Securities, Inc., Banc of America Securities LLC, KPMG Deutsche Treuhand-Gesellschaft, KPMG International, Deutsche Bank AG, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Josef Ackermann, Anthony Di Iorio, Hugo Banziger, Lamberti Hermann-Josef. (rdz) (Entered: 05/05/2009)
04/30/2009		CASE REFERRED TO Judge Jed S. Rakoff as possibly Related to 09-cv-3075. (rdz)

		(Entered: 05/05/2009)
04/30/2009		Case Designated ECF. (rdz) (Entered: 05/05/2009)
04/30/2009	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Ridge Oak Management, Inc.(rdz) (ama). (Entered: 05/05/2009)
05/05/2009		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Joseph Harry Weiss for noncompliance with Section (14.3) of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document 2 Rule 7.1 Corporate Disclosure Statement to: case_openings@nysd.uscourts.gov. (rdz) (Entered: 05/05/2009)
05/07/2009	3	NOTICE OF APPEARANCE by Jay B. Kasner on behalf of Wachovia Capital Markets, LLC, Morgan Stanley & Co., Incorporated, UBS Securities LLC, Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith, Incorporated, Banc of America Securities LLC (Kasner, Jay) (Entered: 05/07/2009)
05/07/2009	4	NOTICE OF APPEARANCE by Scott D. Musoff on behalf of UBS Securities LLC, Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith, Incorporated, Banc of America Securities LLC, Wachovia Capital Markets, LLC, Morgan Stanley & Co., Incorporated (Musoff, Scott) (Entered: 05/07/2009)
05/12/2009		CASE ACCEPTED AS RELATED. Create association to 1:09-cv-03075-DAB. Notice of Assignment to follow. (ldi) (Entered: 05/12/2009)
05/12/2009	5	NOTICE OF CASE ASSIGNMENT to Judge Deborah A. Batts. Judge Unassigned is no longer assigned to the case. (ldi) (Entered: 05/12/2009)
05/12/2009		Magistrate Judge Andrew J. Peck is so designated. (ldi) (Entered: 05/12/2009)
08/11/2009		CONSOLIDATED MEMBER CASE: Create association to 1:09-cv-01714-DAB. (tro) (Entered: 08/12/2009)
08/11/2009	6	ORDER: For the reasons stated herein, Belmont Holdings' motion to consolidate is GRANTED, while its motion for appointment as lead plaintiff and for appointment of lead counsel is DENIED. Kaess and Farruggio's motion for appointment as lead plaintiff and for appointment of lead counsel is GRANTED. Accordingly the Court finds that consolidation of the six actions is appropriate to promote judicial efficiency and to avoid unnecessary cost and delay. The consolidated class shall include all those who purchased or otherwise acquired Deutsche Bank AG's 6.375%, 6.55%, 6.625%, 7.35%, 7.60%, and 8.05% Securities, traceable to the Company's October 2006, May 2007, July 2007, November 2007, February 2008, and May 2008 Registration Statements and Prospecti, respectively. Accordingly, the Court finds that Kaess and Farruggio satisfy Rule 23's typicality requirement. Accordingly, the Court finds that Kaess and Farruggio are the most adequate Lead Plaintiff. Belmont Holdings' has not rebutted the presumption established by the factors under § 78u- 4 (a) (3) (B) (iii) (I). Accordingly, Kaess and Farruggio are appointed Lead Plaintiff for the now consolidated Deutsche Bank AG class action currently pending before this Court. Kaess and Farruggio have selected Murray, Frank & Sailer LLP to serve as Lead Counsel. As discussed in this Order, the Court finds that Kaess and Farruggio's choice of counsel is qualified to prosecute this securities class action. Accordingly, this Court approves the selection of Murray, Frank & Sailer LLP as Lead Counsel. The following six actions are hereby consolidated for all purposes, including pretrial proceedings, trial, and appeal, pursuant to F.R.C.P. 42(a): 09-cv-1714,

09-cv-2556, 09-cv-3075, 09-cv-3884, 09-cv-3889, and 09-cv-4270. The caption of these consolidated actions shall be "In re Deutsche Bank AG Securities Litigation" and the files of these consolidated actions shall be maintained in one file under Master File No. 09 Civ. 1714 (DAB). Every pleading filed in the consolidated actions or in any separate action included herein, shall bear the following caption: In re Deutsche Bank AG Securities Litigation; 09-cv-1714. When a pleading is intended to be applicable to all actions governed by this Order, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set out above. When a pleading is intended to be applicable to only some, but not all of the consolidated actions, this Court's docket number for each individual action to which the pleading is intended to be applicable and the last name of the first-named plaintiff in said action shall appear immediately after the words "This Document Relates To:" in the caption described above. When a pleading is filed and the caption shows that it is applicable to "All Actions," the clerk shall file such pleading in the Master File and note such filing on the Master Docket. No further copies need to be filed, and no other docket entries need be made. When a pleading is filed and the caption shows that it is to be applicable to fewer than all of the consolidated actions, the Clerk will file such pleading in the Master File only, but shall docket such filing on the Master Docket and the docket of each applicable action. The Court directs counsel to bring to the attention of the Clerk of Court the filing or transfer of any case that might be consolidated as part of In re Deutsche Bank AG Securities Litigation. Kaess and Farruggio's Motion for Appointment as Lead Plaintiff is GRANTED. The law firm of Murray, Frank & Sailer LLP is appointed Lead Counsel. The Clerk of Court is hereby directed to terminate all other motions for consolidation, to appoint lead plaintiff or to appoint lead counsel in actions 09 Civ. 1714, 09 Civ. 2556, 09 Civ. 3075, 09 Civ. 3884, 09 Civ. 3889, and 09 Civ. 4270. Plaintiffs shall file a Consolidated Complaint within 30 days of the date of this Order. The Defendants shall move or answer within 20 days after filing of the Consolidated Complaint. (Signed by Judge Deborah A. Batts on 8/11/09) Filed In Associated Cases: 1:09-cv-01714-DAB et al.(tro) (Entered: 08/12/2009)

Note: Links in this docket are stored in the PACER system (**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords). PACER is a service of United States Judiciary. To view and retrieve the linked documents from PACER, you must be a registered user. To register, fill out one of the [registration forms](#) available on the PACER site. The United States Congress has given the Judicial Conference of the United States, the judicial governing body of the U.S. Federal Courts, authority to impose user fees for electronic access to case information. For more information visit the PACER site at <http://pacer.psc.uscourts.gov/pacerdesc.html>