

US District Court Civil Docket as of 8/19/2011
Retrieved from the court on August 24, 2011

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:09-cv-01714-DAB**

In Re Deutsche Bank AG Securities Litigation
Assigned to: Judge Deborah A. Batts
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-03884-DAB](#)

Cause: 15:78m(a) Securities Exchange Act

Date Filed: 02/24/2009
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Lead Plaintiff

Norbert G. Kaess
*on behalf of themselves and all others
similarly situated*

represented by **Brian Philip Murray**
Murray Frank LLP
275 Madison Avenue, Ste. 801
New York, NY 10016
212-682-1818
Fax: 212-682-1892
Email: bmurray@murrayfrank.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eva Hromadkova
Murray Frank LLP
275 Madison Avenue, Ste. 801
New York, NY 10016
(212)-682-1818

Fax: (212)-682
Email: evah@murrayfrank.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lee Albert
Murray Frank LLP
275 Madison Avenue, Ste. 801
New York, NY 10016
(212) 682-1818
Fax: (212) 682-1892
Email: lalbert@murrayfrank.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Howard Rudman
Robbins Geller Rudman & Dowd
LLP(LI)
58 South Service Road
Suite 200
Melville, NY 11747
(631) 367-7100
Fax: (631) 367-1173
Email: srudman@csgrr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah R Gross
Law Offices Bernard M Gross, P.C.
Suite 450, 100 Penn Square East
Philadelphia, PA 19107
(215) 561-3600
Fax: (215) 561-3000
Email: debbie@bernardmgross.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Lucas F. Olts
Robbins Geller Rudman & Dowd LLP
(San Diego)
655 West Broadway
Suite 1900
San Diego, CA 92101

619 213 1058
Fax: 619 231 7423
Email: lolts@rgrdlaw.com
ATTORNEY TO BE NOTICED

Mario Alba , Jr
Robbins Geller Rudman & Dowd
LLP(LI)
58 South Service Road
Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: malba@rgrdlaw.com
ATTORNEY TO BE NOTICED

Lead Plaintiff

Belmont Holdings Corp.

represented by **Lee Albert**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Howard Rudman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Avi Rosenfeld
Robbins Geller Rudman & Dowd
LLP(LI)
58 South Service Road
Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: drosenfeld@csgrr.com
ATTORNEY TO BE NOTICED

Deborah R Gross
(See above for address)
PRO HAC VICE

ATTORNEY TO BE NOTICED

Lucas F. Olts

(See above for address)

ATTORNEY TO BE NOTICED

Mario Alba , Jr

(See above for address)

ATTORNEY TO BE NOTICED

Lead Plaintiff

Maria Farruggio

*on behalf of themselves and all others
similarly situated*

represented by **Brian Philip Murray**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Eva Hromadkova

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Samuel Howard Rudman

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah R Gross

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Lucas F. Olts

(See above for address)

ATTORNEY TO BE NOTICED

Mario Alba , Jr

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Edward P. Zemprelli

*on behalf of himself and all others
similarly situated*

represented by **Andrew J. Brown**

Robbins Geller Rudman & Dowd LLP
(San Diego)

655 West Broadway

Suite 1900

San Diego, CA 92101

(619) 213 1058

Fax: 619 231 7423

Email: andrewb@rgrdlaw.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

David Avi Rosenfeld

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah R Gross

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Eric I. Niehaus

Robbins Geller Rudman & Dowd LLP
(San Diego)

655 West Broadway

Suite 1900

San Diego, CA 92101

(619) 231-1058

Fax: (619) 231-7423

Email: ericn@rgrdlaw.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Lucas F. Olts

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Darren J. Robbins

Robbins Geller Rudman & Dowd LLP

(SANDIEGO)
655 West Broadway
Suite 1900
San Diego, CA 92101
619-231-1058
Fax: 619-231-7423
Email: e_file_sd@lerachlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Mario Alba , Jr
(See above for address)
ATTORNEY TO BE NOTICED

Matthew Montgomery
Robbins Geller Rudman & Dowd LLP
(SANDIEGO)
655 West Broadway
Suite 1900
San Diego, CA 92101
(619)-231-1058
Fax: (619)-231-7423
Email: mattm@csgrr.com
ATTORNEY TO BE NOTICED

Samuel Howard Rudman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Consolidated Plaintiff

Shirley Bachrach
*Individually and on behalf of all others
similarly situated*

represented by **Darren J. Robbins**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Avi Rosenfeld
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Mario Alba , Jr

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Matthew Montgomery

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Samuel Howard Rudman

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah R Gross

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Consolidated Plaintiff

George Gerson

*Individually and on behalf of all others
similarly situated*

represented by **David Avi Rosenfeld**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Mario Alba , Jr

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deborah R Gross

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Consolidated Plaintiff

Ridge Oak Management, Inc

On behalf of itself and all others

represented by **Harry J. Weiss**

450 Fifth Street, N.W.

similarly situated

Mail Stop 4-2
Washington, DC 20549
(202) 272-2259
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Deutsche Bank AG

represented by **David George Januszewski**
Cahill Gordon & Reindel LLP
80 Pine Street
New York, NY 10005
212-701-3000
Fax: 212-269-5420
Email: djanuszewski@cahill.com
ATTORNEY TO BE NOTICED

Defendant

**Deutsche Bank Capital Funding Trust
VIII**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Deutsche Bank Capital Funding LLC
VIII**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Deutsche Bank Capital Funding Trust
X**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Deutsche Bank Capital Funding LLC

represented by **David George Januszewski**

X

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Josef Ackermann

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Anthony Di Iorio

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Banziger Hugo

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Tessen Von Heydebreck

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Hermann-Josef Lamberti

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Martin Edelmann

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Peter Sturzinger

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Detlef Bindert

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jonathan Blake

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Marco Zimmermann

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

UBS Securities LLC

represented by **Jay B. Kasner**
Skadden, Arps, Slate, Meagher & Flom
LLP (NYC)
Four Times Square
42nd floor
New York, NY 10036
212 735 3000
Fax: 212 735 2000
Email: jkasner@skadden.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott D. Musoff

Skadden, Arps, Slate, Meagher & Flom
LLP (NYC)
Four Times Square
42nd floor
New York, NY 10036

212-735-3000
Fax: 212-735-2000
Email: smusoff@skadden.com
ATTORNEY TO BE NOTICED

Defendant

Citigroup Global Markets, Inc.

represented by **Jay B. Kasner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott D. Musoff
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

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

represented by **Jay B. Kasner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott D. Musoff
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Wachovia Capital Markets, LLC

represented by **Jay B. Kasner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott D. Musoff
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Morgan Stanley & Co. Incorporated

represented by **Jay B. Kasner**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Scott D. Musoff
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Deutsche Bank Securities Inc.

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Banc of America Securities LLC

represented by **Jay B. Kasner**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Scott D. Musoff
(See above for address)
ATTORNEY TO BE NOTICED

V.

Consolidated Defendant

**Deutsche Bank Capital Funding Trust
IX**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

**Deutsche BankD Capital Funding
LLC IX**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

Rainer Rauleder

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

**Deutsche Bank Contingent Capital
Trust III**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

**Deutsche Bank Contingent Capital
LLC III**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

**KPMG Deutsche Treuhand-
Gesellschaft**

Consolidated Defendant

KPMG International

Consolidated Defendant

**Deutsche Bank Contingent Capital
Trust II**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Consolidated Defendant

**Deutsche Bank Contingent Capital
LLC II**

represented by **David George Januszewski**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

02/24/2009	1	COMPLAINT against Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Tessen Von Heydebreck, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Deutsche Bank Securities Inc., Banc of America Securities LLC, Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (Filing Fee \$ 350.00, Receipt Number 678611)Document filed by Edward P. Zemprelli.(ama) (Entered: 02/25/2009)
02/24/2009		SUMMONS ISSUED as to Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Tessen Von Heydebreck, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Deutsche Bank Securities Inc., Banc of America Securities LLC, Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (ama) (Entered: 02/25/2009)
02/24/2009		Magistrate Judge James C. Francis IV is so designated. (ama) (Entered: 02/25/2009)
02/24/2009		Case Designated ECF. (ama) (Entered: 02/25/2009)
04/17/2009	2	NOTICE OF APPEARANCE by Jay B. Kasner on behalf of UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America Securities LLC (Kasner, Jay) (Entered: 04/17/2009)
04/17/2009	3	NOTICE OF APPEARANCE by Scott D. Musoff on behalf of UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America Securities LLC (Musoff, Scott) (Entered: 04/17/2009)
04/20/2009	4	STIPULATION AND ORDER; The Defendants shall not be required to, and shall not waive any rights, arguments or defenses by failing to, answer, move, or otherwise respond to the complaint in this action until after Plaintiff has filed

		<p>a Consolidated Amended Complaint. Without limiting the foregoing, by entering into this Stipulation the Defendants do not waive, and expressly reserve, any and all defenses based on insufficiency of service of process and lack of personal jurisdiction. The time for Plaintiffs to file a Consolidated Amended Complaint will be 45 days after entry of an order appointing Lead Plaintiff pursuant to Section 27(a)(3)(B), 15 U.S.C. § 77z-1 of the Securities Act of 1933 and/or Section 21D(a)(3)(B), 15 U.S.c. § 78u-4 of the Securities Exchange Act of 1934. The time for the Defendants to answer, move or otherwise respond to the Consolidated Amended Complaint will be 45 days from filing thereof. In the event the Defendants file a motion to dismiss the Consolidated Amended Complaint, Plaintiffs will have 45 days from filing of such motion in which to file papers in opposition to the motion. The Defendants will have 30 days from filing of Plaintiffs' opposition papers in which to file reply papers. So Ordered. (Signed by Judge Deborah A. Batts on 4/6/2009) (tve) (Entered: 04/20/2009)</p>
04/27/2009	5	<p>FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s) <i>AND CONSOLIDATION AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL</i>. Document filed by Edward P. Zemprelli. (Attachments: # 1 Exhibit Proposed Order, # 2 Memorandum of Law in Support, # 3 Declaration of Mario Alba in Support, # 4 Exhibit A to Alba Declaration, # 5 Exhibit B to Alba Declaration, # 6 Exhibit C to Alba Declaration, # 7 Exhibit D to Alba Declaration, # 8 Exhibit E to Alba Declaration)(Alba, Mario) Modified on 4/28/2009 (db). (Entered: 04/27/2009)</p>
04/27/2009	6	<p>MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s). Document filed by Norbert G. Kaess.(Hromadkova, Eva) (Entered: 04/27/2009)</p>
04/27/2009	7	<p>MEMORANDUM OF LAW in Support re: 6 MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s).. Document filed by Norbert G. Kaess. (Hromadkova, Eva) (Entered: 04/27/2009)</p>
04/27/2009	8	<p>DECLARATION of Eva Hromadkova in Support re: 6 MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s).. Document filed by Norbert G. Kaess. (Hromadkova, Eva) (Entered: 04/27/2009)</p>
04/27/2009		<p>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Mario Alba to RE-FILE Document 5 MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s) <i>AND CONSOLIDATION AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL</i>. MOTION to Appoint Belmont Holdings Corp. to serve</p>

		as lead plaintiff(s) <i>AND CONSOLIDATION AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL</i> . MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s) <i>AND CONSOLIDATION AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL</i> . ERROR(S): Supporting Document must be filed separately (i.e. Memorandum of Law and Declaration of Law in Support of Motion to be filed individually). ***REMINDER*** - First Re-File Motion, then file and link any supporting documents. (db) (Entered: 04/28/2009)
04/28/2009	9	MOTION to Appoint Counsel., MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s). Document filed by Belmont Holdings Corp.. (Attachments: # 1 Exhibit A)(Alba, Mario) (Entered: 04/28/2009)
04/28/2009	10	MEMORANDUM OF LAW in Support re: 9 MOTION to Appoint Counsel. MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s).. Document filed by Belmont Holdings Corp.. (Alba, Mario) (Entered: 04/28/2009)
04/28/2009	11	DECLARATION of Mario Alba Jr. in Support re: 9 MOTION to Appoint Counsel. MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s).. Document filed by Belmont Holdings Corp.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Alba, Mario) (Entered: 04/28/2009)
05/14/2009	12	MEMORANDUM OF LAW in Opposition re: 6 MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s).. Document filed by Belmont Holdings Corp.. (Rosenfeld, David) (Entered: 05/14/2009)
05/14/2009	13	MEMORANDUM OF LAW in Opposition re: 9 MOTION to Appoint Counsel. MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s).. Document filed by Norbert G. Kaess. (Linkh, Gregory) (Entered: 05/14/2009)
05/14/2009	14	MOTION for Deborah R. Gross to Appear Pro Hac Vice. Document filed by Belmont Holdings Corp.(dle) (Entered: 05/18/2009)
05/19/2009		CASHIERS OFFICE REMARK on 14 Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/15/2009, Receipt Number 688190. (jd) (Entered: 05/19/2009)
05/26/2009	15	REPLY MEMORANDUM OF LAW in Support re: 6 MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s).. Document

		filed by Norbert G. Kaess. (Linkh, Gregory) (Entered: 05/26/2009)
05/26/2009	16	REPLY MEMORANDUM OF LAW in Support re: 9 MOTION to Appoint Counsel. MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s).. Document filed by Belmont Holdings Corp.. (Rosenfeld, David) (Entered: 05/26/2009)
05/27/2009	17	RESPONSE to Motion re: 9 MOTION to Appoint Counsel. MOTION to Appoint Belmont Holdings Corp. to serve as lead plaintiff(s).., 6 MOTION to Appoint Norbert G. Kaess and Maria Farruggio to serve as lead plaintiff(s).. Document filed by Deutsche Bank Capital Funding LLC X, Deutsche Bank Securities Inc., Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (Januszewski, David) (Entered: 05/27/2009)
07/08/2009	18	ORDER GRANTING MOTION FOR ADMISSION PRO HAC VICE: granting motion for Deborah R. Gross to Appear Pro Hac Vice. filed by Belmont Holdings Corp. (Signed by Judge Deborah A. Batts on 7/8/2009) (jfe) (Entered: 07/09/2009)
07/08/2009		Transmission to Attorney Admissions Clerk. Transmitted re: 18 Order, Terminate Motions, to the Attorney Admissions Clerk for updating of Attorney Information. (jfe) (Entered: 07/09/2009)
08/11/2009	19	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

		<p>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)</p>
08/18/2009	20	<p>MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to</p>

		<p>Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff MOTION for Reconsideration re; 19 Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Lead Plaintiff(s), Order on Motion to Appoint Counsel, Order on Motion to Appoint Lead Plaintiff. Document filed by Belmont Holdings Corp.. (Rosenfeld, David) (Entered: 09/17/2009)</p>
11/23/2009	27	<p>MEMORANDUM AND ORDER granting (20) Motion for Reconsideration in case 1:09-cv-01714-DAB. For the foregoing reasons, Belmont Holdings' Motion for Reconsideration is GRANTED. Upon reconsideration, Belmont Holdings is appointed Lead Plaintiff and Belmont Holdings' choice of counsel, Coughlin Stoia Geller Rudman & Robbins LLP, and the Law Offices Bernard M. Gross, P.C., are appointed Lead Counsel. In addition, Kaess and Farruggio are appointed Co-Lead Plaintiff and Kaess and Farruggio's choice of counsel, Murray, Frank & Sailer LLP are appointed Co-Lead Counsel. Except to the extent it is inconsistent with this Order, the Court's Order of August 11, 2009 shall remain in effect. Lead Plaintiffs shall file a Consolidated Complaint within 30 days of the date of this Order. Defendants shall move or answer within 20 days after filing of the Consolidated Complaint. SO ORDERED. (Signed by Judge Deborah A. Batts on 11/23/2009) Filed In Associated Cases: 1:09-cv-01714-DAB et al.(jmi) Modified on 11/24/2009 (jmi). (Entered: 11/24/2009)</p>
12/07/2009	28	<p>STIPULATION AND ORDER: Lead Plaintiffs shall file a Consolidated Complaint on or before 1/25/2010. Defendants shall answer, move or otherwise respond to the Consolidated Complaint on or before 3/26/2010. In the event the Defendant file motions to dismiss the Consolidated Complaint, Plaintiffs shall file papers in opposition on or before 5/10/2010. The Defendants shall file any reply papers on or before 6/9/2010. (Signed by Judge Deborah A. Batts on 12/7/09) Filed In Associated Cases: 1:09-cv-01714-DAB et al.(tro) (Entered: 12/07/2009)</p>

		12/07/2009)
01/13/2010	29	MOTION for Andrew J. Brown to Appear Pro Hac Vice. Document filed by Edward P. Zemprelli.(mbe) (Entered: 01/14/2010)
01/13/2010	30	MOTION for Darren J. Robbins to Appear Pro Hac Vice. Document filed by Edward P. Zemprelli.(mbe) (Entered: 01/15/2010)
01/13/2010	31	MOTION for Eric I. Niehaus to Appear Pro Hac Vice. Document filed by Edward P. Zemprelli.(mbe) (Entered: 01/15/2010)
01/14/2010	32	MOTION for Lucas F. Olts to Appear Pro Hac Vice. Document filed by Edward P. Zemprelli.(mbe) (Entered: 01/15/2010)
01/20/2010	33	MOTION for Lee Albert to Appear Pro Hac Vice. Document filed by Norbert G. Kaess, Belmont Holdings Corp..(mbe) (Entered: 01/22/2010)
01/25/2010	34	AMENDED COMPLAINT amending 1 Complaint,, against Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Tessen Von Heydebreck, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Deutsche Bank Securities Inc., Banc of America Securities LLC, Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X.Document filed by Maria Farruggio, Norbert G. Kaess, Belmont Holdings Corp.. Related document: 1 Complaint,, filed by Edward P. Zemprelli.(mbe) (Entered: 01/28/2010)
01/27/2010		CASHIERS OFFICE REMARK on 30 Motion to Appear Pro Hac Vice, 32 Motion to Appear Pro Hac Vice, 29 Motion to Appear Pro Hac Vice, 31 Motion to Appear Pro Hac Vice in the amount of \$100.00, paid on 01/13/2010, Receipt Number 891004. (jd) (Entered: 01/27/2010)
01/28/2010		CASHIERS OFFICE REMARK on 33 Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 01/20/2010, Receipt Number 892343. (jd) (Entered: 01/28/2010)
02/25/2010	35	ORDER: granting 30 Motion for Darren J. Robbins to Appear Pro Hac Vice.

		(Signed by Judge Deborah A. Batts on 2/5/2010) (js) (Entered: 02/25/2010)
02/25/2010	36	ORDER granting 31 Motion for Eric I. Niehaus to Appear Pro Hac Vice. So Ordered. (Signed by Judge Deborah A. Batts on 2/5/2010) (js) (Entered: 02/25/2010)
02/25/2010	37	ORDER granting 32 Motion for Lucas F. Olts to Appear Pro Hac Vice. So Ordered. (Signed by Judge Deborah A. Batts on 2/5/2010) (js) (Entered: 02/25/2010)
02/25/2010	38	ORDER granting 29 Motion for Andrew J. Brown to Appear Pro Hac Vice. (Signed by Judge Deborah A. Batts on 2/5/2010) (js) (Entered: 02/25/2010)
02/25/2010	39	ORDER granting 33 Motion for Lee Albert Esquire to Appear Pro Hac Vice. So Ordered. (Signed by Judge Deborah A. Batts on 1/22/2010) (js) (Entered: 02/25/2010)
03/19/2010	40	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED that the Deutsche Bank Defendants shall be permitted to file a single memorandum not to exceed fifty (50) pages in support of their motion to dismiss. The Plaintiffs shall be permitted to file a single memorandum not to exceed sixty (60) pages in opposition to the Deutsche Bank Defendants' and the Underwriter Defendants' motions. The Deutsche Bank Defendants shall be permitted to file a single reply memorandum not to exceed twenty-five (25) pages. By entering into this Stipulation the Defendants do not waive, and expressly reserve, any and all defenses based on lack or insufficiency of service of process and lack of personal jurisdiction. (Signed by Judge Deborah A. Batts on 3/19/2010) Filed In Associated Cases: 1:09-cv-01714-DAB et al.(jfe) Modified on 3/30/2010 (jfe). (Entered: 03/19/2010)
03/22/2010	41	NOTICE of Change of Firm Name. Document filed by Shirley Bachrach, Belmont Holdings Corp.. (Rudman, Samuel) (Entered: 03/22/2010)
03/25/2010	42	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Document filed by Deutsche Bank Capital Funding LLC X, Deutsche Bank Capital Funding Trust IX, Deutsche BankD Capital Funding LLC IX, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Deutsche Bank Contingent Capital Trust II, Deutsche Bank Contingent Capital LLC II, Deutsche Bank Securities Inc., Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank

		Capital Funding Trust X.(Januszewski, David) (Entered: 03/25/2010)
03/25/2010	43	NOTICE of Firm Name Change. Document filed by Belmont Holdings Corp.. (Rosenfeld, David) (Entered: 03/25/2010)
03/26/2010	44	MOTION to Dismiss <i>the Consolidated Amended Complaint</i> . Document filed by Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Deutsche Bank Capital Funding Trust IX, Deutsche BankD Capital Funding LLC IX, Rainer Rauleder, Tessen Von Heydebreck, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Deutsche Bank Contingent Capital Trust II, Deutsche Bank Contingent Capital LLC II, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, Deutsche Bank Securities Inc., Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X.(Januszewski, David) (Entered: 03/26/2010)
03/26/2010	46	MEMORANDUM OF LAW in Support re: 44 MOTION to Dismiss <i>the Consolidated Amended Complaint</i> .. Document filed by Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Deutsche Bank Capital Funding Trust IX, Deutsche BankD Capital Funding LLC IX, Rainer Rauleder, Tessen Von Heydebreck, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Deutsche Bank Contingent Capital Trust II, Deutsche Bank Contingent Capital LLC II, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, Deutsche Bank Securities Inc., Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (Januszewski, David) (Entered: 03/26/2010)
03/26/2010	47	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Bank of America Corporation, Citigroup, Inc., Morgan Stanley, UBS AG, Wells Fargo & Company as Corporate Parent. Document filed by UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America Securities LLC.(Kasner, Jay) (Entered: 03/26/2010)
03/26/2010	48	MOTION to Dismiss <i>Counts I and II of the Consolidated Amended Complaint</i> . Document filed by UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America

		Securities LLC.(Kasner, Jay) (Entered: 03/26/2010)
03/26/2010	49	MEMORANDUM OF LAW in Support re: 48 MOTION to Dismiss <i>Counts I and II of the Consolidated Amended Complaint</i> .. Document filed by UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America Securities LLC. (Kasner, Jay) (Entered: 03/26/2010)
03/26/2010		***STRICKEN DOCUMENT. Deleted document number (45) from the case record. The document was stricken from this case pursuant to (14 in 1:09-cv-03884-DAB, 14 in 1:09-cv-03884-DAB, 14 in 1:09-cv-03884-DAB, 17 in 1:09-cv-03075-DAB, 17 in 1:09-cv-03075-DAB, 17 in 1:09-cv-03075-DAB, 21 in 1:09-cv-02556-DAB, 21 in 1:09-cv-02556-DAB, 21 in 1:09-cv-02556-DAB, 10 in 1:09-cv-04270-DAB, 10 in 1:09-cv-04270-DAB, 10 in 1:09-cv-04270-DAB, 13 in 1:09-cv-03889-DAB, 13 in 1:09-cv-03889-DAB, 13 in 1:09-cv-03889-DAB, 59 in 1:09-cv-01714-DAB, 59 in 1:09-cv-01714-DAB, 59 in 1:09-cv-01714-DAB) Order on Motion to Dismiss,, Order on Motion to Strike,,,,, Filed In Associated Cases: 1:09-cv-01714-DAB et al.(jfe) (Entered: 08/19/2011)
05/10/2010	50	MEMORANDUM OF LAW in Opposition re: 44 MOTION to Dismiss <i>the Consolidated Amended Complaint</i> ., 48 MOTION to Dismiss <i>Counts I and II of the Consolidated Amended Complaint</i> .. Document filed by Maria Farruggio, Norbert G. Kaess, Belmont Holdings Corp.. (Brown, Andrew) (Entered: 05/10/2010)
05/10/2010	51	DECLARATION of Lucas F. Olts in Opposition re: 44 MOTION to Dismiss <i>the Consolidated Amended Complaint</i> ., 48 MOTION to Dismiss <i>Counts I and II of the Consolidated Amended Complaint</i> .. Document filed by Maria Farruggio, Norbert G. Kaess, Belmont Holdings Corp.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Olts, Lucas) (Entered: 05/10/2010)
05/18/2010	52	MOTION to Strike Document No. 45 <i>Lead Plaintiffs' Motion to Strike Certain Exhibits Attached to Defendants' Memorandum of Law in Support of Their Motion to Dismiss Consolidated Amended Complaint and Memorandum of Points and Authorities in Support Thereof</i> . Document filed by Maria Farruggio, Norbert G. Kaess, Belmont Holdings Corp..(Olts, Lucas) (Entered: 05/18/2010)
05/18/2010	53	DECLARATION of Lucas F. Olts in Support re: 52 MOTION to Strike Document No. 45 <i>Lead Plaintiffs' Motion to Strike Certain Exhibits Attached to Defendants' Memorandum of Law in Support of Their Motion to Dismiss</i>

		<p><i>Consolidated Amended Complaint and Memorandum of Points and Authorities MOTION to Strike Document No. 45 Lead Plaintiffs' Motion to Strike Certain Exhibits Attached to Defendants' Memorandum of Law in Support of Their Motion to Dismiss Consolidated Amended Complaint and Memorandum of Points and Authorities. Document filed by Maria Farruggio, Norbert G. Kaess, Belmont Holdings Corp.. (Attachments: # 1 Exhibit A)(Olts, Lucas) (Entered: 05/18/2010)</i></p>
06/03/2010	54	<p>ENDORSED LETTER addressed to Judge Deborah A. Batts from David G. Januszewski dated 6/2/2010 re: Counsel writes requesting that the time for Defendants to respond to plaintiffs' motion, if a response is required by the Court, be extended to 6/11/2010. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Deborah A. Batts on 6/2/2010) (tve) (Entered: 06/03/2010)</p>
06/08/2010	55	<p>ENDORSED LETTER addressed to Judge Deborah A. Batts from David Januszewski dated 5/20/10 re: Defendants can address Plaintiffs' argument in the context of their reply briefs, to be filed 6/9/10, and Plaintiffs would not be permitted to submit further papers with respect to the motion to strike. ENDORSEMENT: Granted. (Signed by Judge Deborah A. Batts on 6/8/10) (cd) (Entered: 06/08/2010)</p>
06/09/2010	56	<p>REPLY MEMORANDUM OF LAW in Support re: 44 MOTION to Dismiss <i>the Consolidated Amended Complaint..</i> Document filed by Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Deutsche Bank Capital Funding Trust IX, Deutsche BankD Capital Funding LLC IX, Rainer Rauleder, Tessen Von Heydebreck, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Deutsche Bank Contingent Capital Trust II, Deutsche Bank Contingent Capital LLC II, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert, Jonathan Blake, Marco Zimmermann, Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (Januszewski, David) (Entered: 06/09/2010)</p>
06/09/2010	57	<p>DECLARATION of Christine Bateup in Support re: 44 MOTION to Dismiss <i>the Consolidated Amended Complaint..</i> Document filed by Deutsche Bank Capital Funding LLC X, Josef Ackermann, Anthony Di Iorio, Banziger Hugo, Deutsche Bank Capital Funding Trust IX, Deutsche BankD Capital Funding LLC IX, Rainer Rauleder, Tessen Von Heydebreck, Deutsche Bank Contingent Capital Trust III, Deutsche Bank Contingent Capital LLC III, Deutsche Bank Contingent Capital Trust II, Deutsche Bank Contingent Capital LLC II, Hermann-Josef Lamberti, Martin Edelmann, Peter Sturzinger, Detlef Bindert,</p>

		Jonathan Blake, Marco Zimmermann, Banc of America Securities LLC, Deutsche Bank AG, Deutsche Bank Capital Funding Trust VIII, Deutsche Bank Capital Funding LLC VIII, Deutsche Bank Capital Funding Trust X. (Januszewski, David) (Entered: 06/09/2010)
06/09/2010	58	REPLY MEMORANDUM OF LAW in Support re: 48 MOTION to Dismiss <i>Counts I and II of the Consolidated Amended Complaint</i> .. Document filed by UBS Securities LLC, Citigroup Global Markets, Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wachovia Capital Markets, LLC, Morgan Stanley & Co. Incorporated, Banc of America Securities LLC. (Kasner, Jay) (Entered: 06/09/2010)
08/19/2011	59	MEMORANDUM AND ORDER: The Motions to Dismiss are GRANTED WITH PREJUDICE with respect to Plaintiffs' Section II, Section 12(a)(2) and Section 15 claims relating to the October 2006 Offering. The Motions to Dismiss are GRANTED WITHOUT PREJUDICE with respect to Plaintiffs' remaining claims under Section 12(a)(2). The Motions to Dismiss are DENIED in all other respects; Plaintiff's Motion to Strike is GRANTED; Plaintiff shall file a Second Consolidated Amended Complaint within 30 days of the date of this Order; and Defendants shall answer within 60 days of the date of this Order. (Signed by Judge Deborah A. Batts on 8/19/2011) Filed In Associated Cases: 1:09-cv-01714-DAB et al.(jfe) (Entered: 08/19/2011)

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>