

At an IAS Part 3 of the Supreme Court of the State of New York held in and for the County of New York, at the Courthouse, 60 Centre Street, New York, New York, on the 1 day of ~~November~~ 2017.

December

PRESENT:

Hon. Eileen Bransten, J.S.C.

EROS INTERNATIONAL PLC,

Plaintiff,

-against-

MANGROVE PARTNERS, NATHANIEL H. AUGUST, MANUEL P. ASENSIO, ASENSIO & COMPANY, INC., MILL ROCK ADVISORS, INC., GEOINVESTING, LLC, CHRISTOPHER IRONS, DANIEL E. DAVID, FG ALPHA MANAGEMENT, LLC, FG ALPHA ADVISORS, FG ALPHA, L.P., CLARITYSPRING INC., CLARITYSPRING SECURITIES LLC, NATHAN Z. ANDERSON AND JOHN DOES NOS. 1-30,

Defendants.

Index No. 653096/2017

Motion Seq. #005

Commercial Division

ORDER TO SHOW CAUSE

MOTION SEQUENCE # 005

Upon review of the annexed Affirmation of Jessica Fitts, Esq. in Support of Order to Show Cause, dated November 30, 2017, including the exhibits annexed thereto, the Memorandum of Law, dated November 30, 2017, and on all of the pleadings and proceedings heretofore had herein,

LET PLAINTIFF EROS INTERNATIONAL PLC ("PLAINTIFF") SHOW CAUSE, before this Court at IAS Part 3 thereof, at the Courthouse located at 60 Centre Street, New York, New York on the 29 day of January 2018 at 2:15 P, or as soon thereafter as counsel may be heard, why an order should not be made and entered:

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1. Dismissing all claims against Defendants Mangrove Partners and Nathaniel H. August pursuant to CPLR 3211(a)(1) and/or (7); and
2. Granting any such other relief as the Court may find just and proper.

SUFFICIENT CAUSE APPEARING THEREFORE, let service of a copy of this Order to Show Cause and the supporting papers thereof, on the attorneys for the parties to this action, by electronic filing pursuant to 22 NYCRR 202.5-bb, and electronic mail, on or before the 4 of December 2017, be deemed good and sufficient service.

Opposition papers shall be electronically filed pursuant to 22 NYCRR 202.5-bb on or before the 20 day of December 2017.

Reply papers shall be electronically filed pursuant to 22 NYCRR 202.5-bb on or before the 12 day of January, 2018.

The Court shall hear oral argument at the above-indicated place and time.

ENTER:



Hon. Eileen Bransten, J.S.C.
HON. EILEEN BRANSTEN
J.S.C.

All papers with PROPER TABS must be delivered to the courtroom (442) by 3 pm on or before 1-12-18

ORAL ARGUMENT DIRECTED
EB
JSC