

EXHIBIT EE

KASOWITZ BENSON TORRES LLP

1633 BROADWAY
NEW YORK, NEW YORK 10019
(212) 506-1700
FAX: (212) 506-1800

ASPEN
ATLANTA
HOUSTON
LOS ANGELES
MIAMI
NEWARK
SAN FRANCISCO
SILICON VALLEY
WASHINGTON DC

A. MACDONALD CAPUTO JR.
DIRECT DIAL: (212) 506-3302
DIRECT FAX: (212) 500-3572
STOUNTAS@KASOWITZ.COM

April 15, 2019

VIA EMAIL

Mitchell Cantor
The Law Offices of Mitchell Cantor
355 Lexington Ave. Ste. 401
New York, NY 10017

Re: *Eros International v. Mangrove Partners et al*, Index No. 653096/2017

Dear Mr. Cantor:

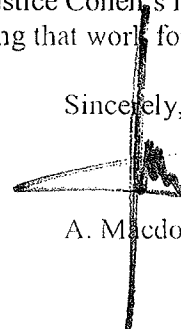
I represent Eros International Plc in the above referenced matter, and write in response to your "Request pursuant to CPLR 3101(a)" dated April 12, 2019 (the "Requests," and each a "Request"). Attached hereto are formal Responses and Objections to the Requests. Please note that I will be appearing at the traverse hearing on behalf of Eros, and therefore request that you direct all related correspondence to my attention going forward.

Although we are under no legal obligation to provide you with "discovery" in advance of the traverse hearing, in a good faith effort to expedite these proceedings and avoid further burden on the Court, Eros agrees to: (i) disclose the witnesses it intends to call at the traverse hearing; and (ii) provide you with the documentary evidence it intends to introduce and/or rely upon in connection therewith. To accommodate your request for disclosure, by no later than close of business on Thursday, April 18, 2019, Eros will serve and file formal affidavits from each of the witnesses it intends to call, which will also attach the documentary evidence on which Eros intends to rely.

Notwithstanding the foregoing, please be advised that Eros expressly reserves all rights, including but not limited to its right to rely on and offer as evidence other documents or evidence not disclosed in the aforementioned affidavits, particularly insofar as such evidence may be necessary for impeachment purposes.

Finally, please be advised that Eros' agreement to provide the foregoing disclosures is conditioned upon its understanding that, pursuant to Justice Cohen's instructions, you will promptly provide proposed dates for the traverse hearing that work for you and Mr. Asensio.

Sincerely,



A. Macdonald Caputo Jr.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X

EROS INTERNATIONAL PLC, :

Plaintiff, :

- against - :

MANGROVE PARTNERS, NATHANIEL H. AUGUST, :

KNIGHT ASSETS & CO., LLP, AKSHAY S. NAHETA, :

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. :

----- X

Index No. 653096/2017
Hon. Joel M. Cohen

**EROS’ RESPONSES AND OBJECTIONS TO MANUEL P. ASENSIO’S
“REQUEST PURSUANT TO CPLR 3101(a)”**

Pursuant to Article 31 of the New York Civil Practice Law and Rules, Plaintiff Eros International PLC (“Plaintiff”), by and through its undersigned attorneys, hereby responds and objects to Defendant Manuel P. Asensio’s (“Defendant”) “Request pursuant to CPLR 3101(a)” dated April 12, 2019 (together, the “Requests,” and each a “Request”), as follows:

GENERAL OBJECTIONS

1. Plaintiff objects to the Requests to the extent they seek to impose on Plaintiff obligations greater than those required under the New York Civil Practice Law and Rules or the Commercial Division Rules.
2. Plaintiff objects to the Requests to the extent that they seek documents or information protected from discovery by the attorney-client privilege, the attorney work-product

doctrine, or any other applicable privilege. Inadvertent production of any such information is not intended to be nor shall operate as a waiver of the applicable privilege, in whole or in part.

3. Plaintiff objects to the Requests to the extent that they seek documents that constitute, reflect, or refer in any way to information that is confidential, proprietary or constitutes a trade secret.

4. Plaintiff objects to the Requests to the extent that they are vague, ambiguous, overly broad, unduly burdensome, unreasonably cumulative, duplicative, do not describe the information to be supplied with reasonable particularity, would require Plaintiff to speculate as to the nature and/or scope of the information sought thereby, seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, or which require Plaintiff or other parties to incur unreasonable expense in order to comply.

5. Plaintiff objects to the Requests to the extent that they seek information or documents other than those which may be obtained through a reasonably diligent search. In responding to the Requests, Plaintiff has made a reasonable inquiry and has conducted a reasonable search of information and materials within its possession, custody, or control in those places where information that might be responsive to the Requests was most likely to be found. To the extent that Defendant seeks to require Plaintiff to undertake any action beyond that described above, Plaintiff objects to the Requests as unduly burdensome, oppressive, harassing, and seeking information not within the possession, custody, or control of Plaintiff.

6. Plaintiff objects to the Requests to the extent that they purport to require Plaintiff to disclose information or documents that are available publicly or otherwise to Defendant, or which are otherwise no more burdensome for Defendant to obtain than for Plaintiff to obtain.

7. The failure of Plaintiff to make a specific objection to a particular, individual Request contained in the Requests is not, and shall not be construed as, an admission regarding the existence of information or documents that might be responsive to the particular Request. Likewise, any statement herein that Plaintiff will produce documents in response to an individual Request contained in the Requests does not mean that there exists information or documents that might be responsive to the particular Request, but instead reflects the intention of Plaintiff, subject to its objections, to conduct a reasonable search for the information or documents sought in that Request.

8. Plaintiff reserves all objections to the use of any of the responses herein or documents produced in connection herewith in any subsequent proceedings. All such objections may be interposed by Plaintiff at the time of trial or as otherwise required by the rules or order of the Court.

9. Plaintiff reserves all objections with respect to the competency, relevance, materiality, and admissibility of all information produced pursuant to the Requests. Plaintiff reserves all objections with respect to vagueness or ambiguity. These responses are made without waiver of, or prejudice to, any such objections or rights. To the extent Plaintiff produces any information or documents in response to any Requests to which an objection is made, such production is without waiver of the objection.

10. To the extent that Plaintiff responds to any of the Requests, they do so without waiving their rights to object on any ground to further or other discovery requests involving or related to the Requests.

11. The responses herein are based on the best information currently available to Plaintiff. Plaintiff reserves its right to supplement its responses in the event that future review of

documents uncovers additional information responsive to the Requests. Plaintiff further reserves the right to object to a Request or parts thereof after a response or partial response is provided.

12. The foregoing General Objections are incorporated into each of the following responses to the Requests as if restated fully therein, and the General Objections shall be deemed continuing as to each Request and are not waived, or in any way limited, by the following responses.

SPECIFIC OBJECTIONS AND RESPONSES

REQUEST A:

A full length and frontal face photograph of Corey Guskin, who allegedly served process at 400 East 54th St. New York, NY 10021 the residence of Manuel P. Asensio.

RESPONSE TO REQUEST A:

Subject to the foregoing General Objections, no documents or other information responsive to Request A are within Plaintiff's possession, custody, or control.

REQUEST B:

The names and relevance to this proceeding of all other witnesses whom you expect to call at the traverse hearing.

RESPONSE TO REQUEST B:

Plaintiff objects to Request B on the ground that Plaintiff is under no obligation to produce such information prior to the Traverse hearing. Plaintiff further objects to Request B to the extent that it purports to demand an explanation of the "relevance to this proceeding of all other witnesses" Eros intends to call at the Traverse hearing. Plaintiff is under no legal obligation to provide Defendants with such an explanation, particularly in light of the fact that no relevance objection has been interposed. Defendants are free to examine, probe, or otherwise

challenge the relevance of Plaintiff's evidence, including its witnesses, through objection or cross examination, as appropriate, at the Traverse hearing.

Subject to the foregoing General and Specific Objections, in a good faith effort to expedite these proceedings and avoid further burden on the court, Plaintiff intends to call Richard LaRosa, the Managing Clerk of Kasowitz Benson Torres LLP, and Stephen W. Tountas, a partner of Kasowitz Benson Torres LLP, as witnesses at the Traverse hearing. Plaintiff further states that by close of business on Thursday April 18, 2019, Plaintiff will file formal affidavits from both witnesses providing testimony and attaching documentary exhibits establishing the sufficiency of service.

REQUEST C:

All other relevant information that you expect to admit into evidence at the traverse hearing.

RESPONSE TO REQUEST C:

Plaintiff objects to Request C on the ground that Plaintiff is under no obligation to produce such information prior to the Traverse hearing. Plaintiff further objects to Request C as overbroad and unduly burdensome to the extent that it purports to require Plaintiff to provide "all relevant information" Plaintiffs expects "to admit into evidence at the Traverse hearing." Plaintiff is under no legal obligation to marshal all of its evidence prior to the Traverse hearing, and Plaintiff expressly reserves all rights to rely on additional documentary evidence not identified herein, particularly for the purposes of impeachment of Defendant.

Subject to the foregoing General and Specific Objections, in a good faith effort to expedite these proceedings and avoid further burden on the court, Plaintiff directs Defendant to the materials that are available on the public docket in support of Plaintiff's Motion For Default

Judgments Against Defendants Manuel P. Asensio, Asensio & Company, Inc., and Mill Rock Advisors, Inc. Plaintiff will also provide Defendant with any other documentary evidence on which it intends to rely affirmatively, which will be attached to the affidavits referenced above in connection with Request B.

Dated: New York, New York

April 15, 2019

KASOWITZ BENSON TORRES LLP

By: 

Michael J. Bowe
Stephen W. Tountas
A. Macdonald Caputo Jr.
1633 Broadway
New York, New York 10019-6022
(212) 506-1700

Attorneys for Plaintiff