

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

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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.

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

**NOTICE OF REJECTION
OF LIMITED NOTICE OF
APPEARANCE**

PLEASE TAKE NOTICE that pursuant to CPLR 2101(f), Plaintiff Eros International Plc, by and through its undersigned counsel, hereby rejects and returns herewith Mitchell Cantor’s “Limited Notice of Appearance” dated June 17, 2019, which purports to be “*nunc pro tunc* as of December 1, 2017.” (See Exhibit A, ECF No. 448.)

New York no longer recognizes the special appearance for purposes of contesting personal jurisdiction. See CPLR 320 Legislative Reports (“The special appearance has been abolished, and an objection to jurisdiction over the person is to be raised either by motion under rule 3211(a) or in the answer”); *Magwitch, L.L.C. v. Pusser’s Inc.*, 84 A.D.3d 529, 531 (1st Dep’t 2011) (“a special appearance was used by the defendant for the sole purpose of objecting to the court’s jurisdiction of his person but the CPLR abolished the special appearance”).

Further, Mr. Cantor is not authorized to declare his appearance to be *nunc pro tunc* to a date of his choosing, much less eighteen months after the fact. Therefore, the attached papers are hereby rejected and returned.

Dated: New York, New York
June 26, 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 Eros International Plc

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
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SECURITIES LLC, NATHAN Z. ANDERSON AND
JOHN DOES, KNIGHT ASSETS & CO., LLP,
AKSHAY NAHETA,

Assigned to the Hon. Joel
M. Cohen, IAS Part 3

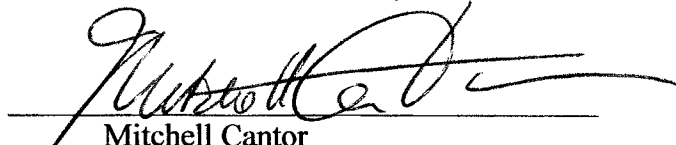
LIMITED NOTICE OF
APPEARANCE

Defendants.
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PLEASE TAKE NOTICE that Mitchell Cantor of The Law Offices of Mitchell Cantor hereby appears **nunc pro tunc** as of December 1, 2017 for Defendant Manuel P. Asensio in the above captioned matter **for the limited purpose only of challenging jurisdiction**, and requests that all papers in connection therewith be served at the address set forth below.

Dated: New York, New York
June 17, 2019

The Law Offices of Mitchell Cantor



Mitchell Cantor
355 Lexington Avenue, Suite 401
New York, NY 10017
(212) 679-7820

Attorneys for Defendant Manuel P. Asensio