

At Part ³ of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, Room 442, New York, New York 10007 on the 1 day of ~~November~~ *December* 2017

PRESENT:

Hon. Eileen Bransten

-----X
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 Number 653096/2017

ORDER TO SHOW CAUSE BY DEFENDANTS GEOINVESTING, LLC, CHRISTOPHER IRONS, DANIEL E. DAVID, FG ALPHA MANAGEMENT, LLC, FG ALPHA ADVISORS, AND FG ALPHA, L.P TO DISMISS THE COMPLAINT PURSUANT TO CPLR 3211(a)(1), (7)

MOTION SEQUENCE # 004

-----X
Upon the annexed Affirmation of Michael de Leeuw dated November 30, 2017, the exhibits annexed thereto, and the accompanying Memorandum Of Law In Support Of Order To Show Cause By Defendants GeoInvesting, LLLC, Christopher Irons, Daniel E. David, FG Alpha Management, LLC, FG Alpha Advisors, And FG Alpha, L.P. To Dismiss The Complaint Pursuant To CPLR 3211(a)(1), (7), and upon all the prior pleadings and proceedings in this matter, it is hereby

Eros International PLC v. Mangrove Partners, et al.

Index No. 653096/2017
Page 2 of 2

ORDERED, that the Plaintiff, Eros International PLC, through its officers or agents, show cause before this Court at the Courthouse, 60 Centre Street, Room 442, New York, New York 10007 on the 29 day of January ~~2017~~, ²¹⁸ ~~2017~~, at ~~9:30~~ ^{2:15} a.m. or as soon thereafter as counsel can be heard, why an order should not be entered dismissing the Complaint dated September 29, 2017, in its entirety as brought against Defendants GeoInvesting, LLC, Christopher Irons, Daniel E. David, FG Alpha Management, LLC, FG Alpha Advisors, and FG Alpha, L.P., with prejudice;

ORDERED, that a copy of this Order and the papers upon which it is granted shall be served upon counsel for Plaintiff via electronic filing on or before the 4 day of December 2017, and that such service shall constitute good and proper service hereunder and shall be deemed due and sufficient notice of this application;

ORDERED, that opposition papers shall be served upon counsel for Defendants GeoInvesting, LLLC, Christopher Irons, Daniel E. David, FG Alpha Management, LLC, FG Alpha Advisors, And FG Alpha, L.P. on or before the 20 day of December 2017, via electronic filing; and it is further

ORDERED, that reply papers, on consent of all the parties, shall be served upon counsel for Plaintiff via electronic filing on or before the 12 day of January 2018

Dated: ~~New York, New York~~
~~November 30, 2017~~

ENTER



J.S.C.
HON. EILEEN BRANSTEN
J.S.C.

**ORAL ARGUMENT
DIRECTED**

J.S.C.

All papers with PROPER TABS must be delivered to the courtroom (442) by 3 pm on or before 1-12-2018