

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

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	:	
EROS INTERNATIONAL PLC,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	Index No. 653096/2017
	:	Hon. Eileen Bransten
	:	
MANGROVE PARTNERS, NATHANIEL H.	:	
AUGUST, MANUEL P. ASENSIO, ASENSIO &	:	
COMPANY, INC., MILL ROCK ADVISORS, INC.,	:	Mot. Seq. No. ____
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	:	

**AFFIRMATION OF MICHAEL J. BOWE IN SUPPORT OF  
PLAINTIFF’S MOTION FOR DEFAULT JUDGMENTS  
AGAINST DEFENDANTS MANUEL P. ASENSIO,  
ASENSIO & COMPANY, INC. AND MILL ROCK ADVISORS, INC.**

**MICHAEL J. BOWE**, an attorney duly admitted to practice before the Courts of the State of New York, hereby affirms under penalty of perjury:

1. I am a member of the law firm Kasowitz Benson Torres LLP, attorneys for Plaintiff Eros International Plc (“Eros”). I submit this affirmation in support of Eros’ Motion for Default Judgments against Defendants Manuel P. Asensio (“Asensio”), Asensio & Company, Inc. (“Asensio & Company”), and Mill Rock Advisors, Inc. (“Mill Rock”) (collectively, the “Asensio Defendants”) Pursuant to CPLR 3215.

2. The time for the Asensio Defendants to appear in this action or otherwise respond to the Complaint filed September 29, 2017 has expired. *See* ECF No. 3.

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3. The Asensio Defendants have not appeared in this action or otherwise responded to the Complaint and the time to appear or otherwise respond has not been extended.

4. Attached hereto as **Ex. A** is a true and correct copy of the Affidavit of Service filed on October 10, 2017 signifying that Asensio was served with the Supplemental Summons, Summons with Notice, Complaint and Notice of Commencement of Action Subject to Mandatory Electronic Filing by nail and mail service on October 2, 2017 and first class mailing of the same on October 4, 2017. *See* ECF No. 20.

5. Attached hereto as **Ex. B** is a true and correct copy of the Affidavit of Service filed on October 10, 2017 signifying that Asensio was additionally served with the Supplemental Summons, Summons with Notice, Complaint and Notice of Commencement of Action Subject to Mandatory Electronic Filing by substituted service through his doorman on October 3, 2017 and first class mailing of the same on October 4, 2017. *See* ECF No. 19.

6. Attached hereto as **Ex. C** is a true and correct copy of the Affidavit of Service filed on October 11, 2017 signifying that Asensio & Company was served with the Supplemental Summons, Summons with Notice, Complaint and Notice of Commencement of Action Subject to Mandatory Electronic Filing by service on the New York State Department of State, Asensio & Company's registered agent, on October 2, 2017. *See* ECF No. 21.

7. Attached hereto as **Ex. D** is a true and correct copy of the Affidavit of Service filed on October 11, 2017 signifying that Mill Rock was served with the Supplemental Summons, Summons with Notice, Complaint and Notice of Commencement of Action Subject to Mandatory Electronic Filing by service on the New York State Department of State, Mill Rock's registered agent, on October 2, 2017. *See* ECF No. 22.

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8. Attached hereto as **Ex. E** is a true and correct copy of the Affirmation of Mailing Pursuant to CPLR 3215(g) dated November 13, 2017 signifying additional service on Asensio & Company and Mill Rock by first class mail on November 10, 2017.

9. Attached hereto as **Ex. F** is a true and correct copy of an email from Asensio to Michael J. Bowe dated November 20, 2017.

10. Attached hereto as **Ex. G** is a true and correct copy of an email from Stephen W. Tountas to Asensio dated November 22, 2017.

11. Attached hereto as **Ex. H** is a true and correct copy of an email from Asensio to Stephen W. Tountas dated November 22, 2017.

12. Attached hereto as **Ex. I** is a true and correct copy of an email from Michael J. Bowe to Asensio dated November 24, 2017.

13. Attached hereto as **Ex. J** is a true and correct copy of an email from Stephen W. Tountas to Asensio dated November 24, 2017.

14. Attached hereto as **Ex. K** is a true and correct copy of an email from Asensio to Michael J. Bowe and Stephen W. Tountas dated November 25, 2017.

15. Attached hereto as **Ex. L** is a true and correct copy of an email from Asensio to Michael J. Bowe and Stephen W. Tountas dated November 28, 2017.

16. Attached hereto as **Ex. M** is a true and correct copy of an email from Mitchell Cantor to Michael J. Bowe dated November 29, 2017.

17. Attached hereto as **Ex. N** is a true and correct copy of an email from Joseph L. Sorkin to Michael J. Bowe and Stephen W. Tountas dated October 20, 2017.

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18. Attached hereto as **Ex. O** is a true and correct copy of a series of tweets published by “Alpha Exposure” – *i.e.*, defendants Mangrove Partners and Nathaniel H. August – regarding the filing of this lawsuit, dated October 5, 2017.

19. Attached hereto as **Ex. P** is a true and copy correct of a tweet published by Asensio in reply to Alpha Exposure (*see supra*, Ex. 15) dated October 5, 2017.

20. No prior relief of this kind has been sought in this action.

Dated: December 1, 2017  
New York, New York

By: /s/ Michael J. Bowe  
Michael J. Bowe