

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SUCESORES DE DON CARLOS NUÑEZ Y DOÑA PURA GALVEZ, INC.; MYRIAM E. NUÑEZ, as Personal Representative and Executor of the ESTATE OF NESTOR FRANCISCO NUÑEZ GALVEZ; EILEEN DOMINGUEZ, as Personal Representative and Executor of the ESTATE OF BLANCA NUÑEZ; GLORIA TORRALBAS NUÑEZ; GLORIA PILAR MOLINA, as Personal Representative and Administrator of the ESTATE OF THOMAS TORRALBAS NUÑEZ; PURA AMERICA OCHOA NUÑEZ; NORKA CABANAS NUÑEZ; CARLOS CABANAS NUÑEZ; SILVIA NUÑEZ TARAFA; CARLOS NUÑEZ TARAFA; LOURDES NUÑEZ, as Personal Representative and Administrator of the ESTATE OF ALEJANDRO NUÑEZ TARAFA; CARLOS ARSENIO NUÑEZ RIVERO, as Personal Representative and Executor of the ESTATE OF CARIDAD MARIA RIVERO CABALLERO; and CARLOS ARSENIO NUÑEZ RIVERO,

Plaintiffs,

v.

SOCIÉTÉ GÉNÉRALE, S.A. and BNP
PARIBAS, S.A.,

Defendants.

Civil Action No. 1:20-cv-00851-KMW-KNF

NOTICE OF DEFENDANTS' MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the Second Amended Complaint (“SAC”) (annexed hereto as Exhibit A), the accompanying Joint Memorandum of Law in Support of Defendants’ Motion to Dismiss the Second Amended Complaint, the Declaration of Alex C. Lakatos and exhibits thereto, and all prior pleadings and proceedings herein, Defendants Société Générale, S.A. (“SG”) and BNP Paribas, S.A. (“BNP”) (collectively, “Defendants”), hereby move this Court, before the Honorable Kimba M. Wood, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing this action with prejudice in its entirety as to each of the Defendants on the grounds that the Plaintiffs lack standing to pursue their action and that the SAC fails to state a claim upon which relief can be granted, and granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered by the Court on September 14, 2020 (ECF No. 87), Plaintiffs’ opposition is due by October 23, 2020, and Defendants’ reply is due by November 6, 2020.

Dated: New York, New York
October 2, 2020

MAYER BROWN LLP

/s/ Steven Wolowitz

Steven Wolowitz
Alex Lakatos
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 506-2500
swolowitz@mayerbrown.com
alakatos@mayerbrown.com

Attorneys for Defendant Société Générale, S.A.

**CLEARY GOTTlieb STEEN &
HAMILTON LLP**

/s/ Carmine D. Boccuzzi, Jr.

Carmine D. Boccuzzi, Jr.
One Liberty Plaza
New York, New York 10006
Tel: (212) 225-2508
Fax: (212) 225-3999
cboccuzzi@cgsh.com

Attorneys for Defendant BNP Paribas, S.A.