

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VE, :

Plaintiff, :

v. :

DARREN K. INDYKE AND RICHARD D. :

KAHN, AS JOINT PERSONAL :

REPRESENTATIVES OF THE ESTATE OF :

JEFFREY E. EPSTEIN, NINE EAST 71st :

STREET, CORPORATION, FINANCIAL :

TRUST COMPANY, INC., NES, LLC, :

Defendants. :

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Index No. 1:19-cv-07625-AJN

**NOTICE OF DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Declaration of Bennet J. Moskowitz dated November 29, 2019 and the exhibit thereto, and all prior pleadings and proceedings in this action, Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein, Nine East 71st Street, Corporation, Financial Trust Company, Inc., and NES, LLC will move this Court before the Hon. Alison J. Nathan, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, on December 13, 2019 at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Counts I and III - V of Plaintiff VE's First Amended Complaint (Doc. # 3) in their entirety and Count II to the extent it is time barred, with prejudice for failure to state a claim; and for such other and further relief as may be just and proper.

Dated: New York, New York
November 29, 2019

Respectfully submitted,

TROUTMAN SANDERS LLP
875 Third Avenue
New York, New York 10022

By: /s/ Bennet J. Moskowitz
Bennet J. Moskowitz

Attorneys for Defendants