



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL DEPOSIT INSURANCE CORPORATION,  
AS RECEIVER FOR FIRST NBC BANK,

Plaintiff,

-v-

MUREX, LLC f/k/a MUREX N.A., LTD.,

Defendant.  
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16 Civ. 7703 (PAE)

OPINION & ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has reviewed the submissions of defendant Murex LLC (“Murex”), Dkt. 81-1, and substituted plaintiff Federal Deposit Insurance Corporation (“FDIC”), Dkt. 82, as to the issue of the access that counsel for the FDIC may properly have to the materials of Holland & Knight LLC (H&K), which, until its disqualification on April 28, 2017, Dkt. 74, represented initial plaintiff First NBC Bank (“FNBC”).

The Court agrees that, given the taint attached to H&K by virtue of its separate representation of Murex and the exposure of H&K’s lawyers in this matter to Murex’s confidences, there are to be no substantive conversations between H&K and counsel for the FDIC. However, counsel for the FDIC may receive H&K’s legal files relating to its representation of FNBC, provided that these materials do not include any references, direct or indirect, to H&K’s prior representation of Murex. The Court expects that H&K will task a senior litigator with responsibility for closely reviewing any such files to assure that any such references are identified and redacted before materials are shared with counsel for the FDIC.

SO ORDERED.

*Paul A. Engelmayer*

Paul A. Engelmayer  
United States District Judge

Dated: July 11, 2017  
New York, New York