

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICROBOT MEDICAL, INC.,

Plaintiff,

19 CIVIL 3782 (GBD)(RWL)

-against-

JOSEPH MONA,

Defendant.

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JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 30, 2021, Magistrate Judge Lehrburger's Report is ADOPTED. Microbot's motion for judgment on the pleadings and motion to dismiss Defendant Mona's counterclaim, (ECF No. 81), is GRANTED. Judgment is entered in favor of Microbot in the amount of \$484,614.30. Defendant Mona's counterclaim against Microbot is dismissed with leave to attempt to replead his proposed Section 10(b) and Rule 110b-5 counterclaim solely with regard to the following statements: (1) Roe's statement that Microbot's "shares were going to get to \$10" and that he "purchased 10,000 shares in the company"; and (2) Altavilla's statements that Gadot was "in Minneapolis on business, meeting two Fortune 500 companies," and that he expected Microbot "to sign an SCS partnership any day."

Dated: New York, New York
March 31, 2021

RUBY J. KRAJICK

BY:

Clerk of Court
K. Mangi

Deputy Clerk