

# MEMO ENDORSED

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

WESTERN ENERGY OPPORTUNITIES II,  
LLC, d/b/a WESTERN ENERGY REGIONAL  
CENTER,

Plaintiff,

v.

FINALIS SECURITIES, LLC; EB5 ENERGY  
FUND I, LP d/b/a EB5 MARKETPLACE; EB5  
ENERGY HOLDINGS, LLC; RUPY CHEEMA;  
KURT EDWARD REUSS; and ABC  
CORPORATIONS 1 through 10,

Defendants.

Civil Action No.: 24-CV-2565 (ER)

### Notice of Motion

Plaintiff is directed to file its opposition by July 23, 2024, and Defendant Finalis is directed to file its reply by July 30, 2024. SO ORDERED.



Edgardo Ramos, U.S.D.J.

Dated: 7/3/24  
New York, New York

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in Support of a Motion to Dismiss and the Declaration of Angela A. Turiano and attached exhibits, Defendant Finalis Securities, LLC. (“Finalis”) by and through his undersigned counsel, shall move this Court before the Honorable Edgardo Ramos, United States District Court Judge, in the United States District Court for the Southern District of New York at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, on a date and time to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing (i) Count One of the Complaint with prejudice for failure to state a cause of action; (ii) Count Two through Count Six of the Complaint with prejudice for failure to state a cause of action as against Finalis; and, (iii) for such other relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with Local Rule 6.1(b), opposition papers to this motion shall be served within fourteen days after service of the moving papers, and reply papers shall be served within seven days after service of the answering papers.

Dated: New York, New York  
July 2, 2024

Respectfully Submitted,

/s/ Angela A. Turiano  
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