

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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20230930-DK-BUTTERFLY-1, INC.,

Plaintiff,

- against -

RYAN COHEN and RC VENTURES LLC,

ORDER

Defendants.

24 Civ. 5874 (NRB)

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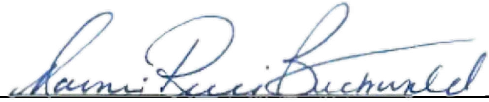
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Having reviewed the parties' pre-motion letters, dated October 4, 2024 and October 9, 2024, the Court has determined that defendants may bring their motion to dismiss without the necessity of a pre-motion conference.

Plaintiff is reminded that if, consistent with Rule 11, he can assert additional allegations to cure any alleged deficiencies raised by defendants' letter, it would be in the best interest of both the parties and the Court for plaintiff to assert them now, before briefing on the proposed motions. Plaintiff is thus granted leave to file an amended complaint within two weeks of this Order. At that time, if no amended complaint has been filed, the parties should confer on a briefing schedule agreeable to both sides, in which no more than sixty days elapse from the filing of defendants' motion to the filing of defendants' reply.

SO ORDERED.

Dated: New York, New York
October 25, 2024



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE