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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 NICK PATTERSON, Individually and on
13 Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 TERRAFORM LABS, PTE. LTD., JUMP
17 CRYPTO, JUMP TRADING LLC, REPUBLIC
18 CAPITAL, REPUBLIC MAXIMAL LLC,
19 TRIBE CAPITAL, DEFINANCE CAPITAL/
20 DEFINANCE TECHNOLOGIES OY,
21 GSR/GSR MARKETS LIMITED, THREE
22 ARROWS CAPITAL PTE. LTD., NICHOLAS
23 PLATIAS, and DO KWON,

24 Defendants.

Case No. 5:22-cv-03600

**NOTICE OF MOTION AND MOTION
OF NICK PATTERSON FOR
APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF LEAD COUNSEL;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF**

Date: December 15, 2022
Time: 9:00 a.m.
Courtroom.: Courtroom 3, 5th Floor
Judge: Hon. Beth Labson Freeman

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NOTICE OF MOTION AND MOTION

TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiff movant Nick Patterson (“Patterson” or “Movant”), by and through his undersigned counsel, hereby moves this Court before the Honorable Beth Labson Freeman in Courtroom 3, 5th Floor, of the U.S. District Court for the Northern District of California, San Jose Courthouse, 80 South 1st Street, San Jose, California 95113, on December 15, 2022, at 9:00 a.m., or as soon thereafter as the matter may be heard, for the entry of an order: (1) appointing Patterson as Lead Plaintiff for the putative Class, pursuant to §21D of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”); (2) approving his selection of Scott+Scott Attorneys at Law LLP (“Scott+Scott”) as Lead Counsel for the putative Class; and (3) appointing Scott+Scott as lead counsel over the non-securities claims asserted in the complaint.

This motion is made on the grounds that Patterson timely filed this motion and is the “most adequate plaintiff.” Based on the information presently available, Patterson has the largest financial interest in the relief sought by the Class amongst movants for lead plaintiff, meets the requirements of Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”), as his claims are typical of the claims of the Class, and he will fairly and adequately represent the interests of the Class. In addition, Patterson has selected and retained Scott+Scott, a law firm with substantial experience in prosecuting securities class actions, to serve as Lead Counsel.

This motion is based on this notice of motion and memorandum of points and authorities herein, the Declaration of John T. Jasnoch (“Jasnoch Decl.”) filed concurrently herewith and in support hereof, including Exhibits A-C attached thereto, the pleadings and other files and records previously entered in these actions, and such other written or oral argument as may be presented to the Court.

STATEMENT OF THE ISSUES TO BE DECIDED

1. Whether the Court should appoint Patterson as Lead Plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B).



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