UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 19-cv-22842-DPG

SUCESORES DE DON CARLOS
NUÑEZ Y DOÑA PURA GALVEZ,
INC., d/b/a BANCO NUÑEZ,

Plaintiff,

v.

SOCIÉTÉ GÉNÉRALE, S.A., d/b/a
SOCIÉTÉ GÉNÉRALE AMERICAS,

Defendant.

DEFENDANT SOCIÉTÉ GÉNÉRALE, S.A.'S UNOPPOSED MOTION FOR LEAVE TO EXCEED THE PAGE LIMITATION AS TO ITS MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Defendant Société Générale, S.A. ("SG") respectfully moves for leave to file a forty-page memorandum of law ("Moving Brief") [1] in support of its motion to dismiss the Complaint filed by Plaintiff on July 10, 2019 ("Complaint") [DE1]. SG's Moving Brief would exceed, by 20 pages, the twenty-page limit for opening briefs permitted by Local Rule 7.1(c)(2). Good cause exists for the granting SG's request to file a forty-page Moving Brief, which is not opposed by the Plaintiff:

1. On July 10, 2019, Plaintiff filed the Complaint in this matter, alleging that SG "trafficked" in Plaintiff's expropriated property within the meaning of Title III of

[1] SG makes this special appearance, through counsel, for the limited purpose of making this application for an increase in the page limitation for its Moving Brief. In making this application, SG does not waive, and expressly preserves, all available defenses, including a defense based on lack of personal jurisdiction.

the Cuban Liberty and Democratic Solidarity Act, 22 U.S.C. § 6021, *et. seq.* ("Helms-Burton").

2. According to statements made by Plaintiff and reported by various news outlets, Plaintiff seeks substantial monetary damages from SG, including treble damages and other fees totaling approximately $792 million.
3. SG plans to move to dismiss the Complaint on numerous grounds, including that plaintiff did not acquire ownership of its claim within the requisite time period, that the court lacks personal jurisdiction over SG and that the Complaint fails to state a claim for several different reasons that implicate both U.S. and international law.
4. Since Helms-Burton was enacted in 1996, claims under Title III of Helms-Burton have been stayed under every Presidential administration until May 2019, when President Trump declined to renew the stay.
5. As this appears to be the first Helms-Burton case brought against a Bank, SG believes in good faith that it will need 40 pages to adequately present the court with its defenses in this case of first impression, which will require SG to confront complicated and novel issues of statutory and case law interpretation and to construe the statute's legislative intent.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

Counsel for SG has conferred with Plaintiff's counsel, who do not oppose the relief requested herein.

CONCLUSION

For the foregoing reasons, SG respectfully requests that the Court grant its motion for leave to file a forty-page Moving Brief in support of their motion to dismiss the Complaint.

Dated: September 6, 2019

Respectfully submitted,

REED SMITH LLP

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I further certify that the foregoing is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

By: */s/ Edward M. Mullins*
Edward M. Mullins