

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GEORGE ASSAD, Derivatively on Behalf of
PERSHING SQUARE TONTINE HOLDINGS,
LTD.,

Plaintiffs,

v.

PERSHING SQUARE TONTINE HOLDINGS,
LTD.,

Nominal Defendant,

v.

PERSHING SQUARE TH SPONSOR, LLC,
LISA GERSH, MICHAEL OVITZ,
JACQUELINE D. RESES, JOSEPH S.
STEINBERG, PERSHING SQUARE, L.P.,
PERSHING SQUARE INTERNATIONAL,
LTD., AND PERSHING SQUARE
HOLDINGS, LTD.,

Defendants.

Case No. 1:21-cv-06907 (AT) (BCM)

**NOTICE OF THE PERSHING SQUARE DEFENDANTS'
MOTION TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the Amended Complaint (ECF No. 43); the accompanying Memorandum of Law, dated November 4, 2021; the accompanying Declaration of Jenna M. Dabbs, dated November 4, 2021, and exhibits thereto; and upon all prior papers and proceedings herein, Defendants Pershing Square Tontine Holdings, Ltd.; Pershing Square TH Sponsor, LLC; Pershing Square, L.P.; Pershing Square International, Ltd.; and Pershing Square Holdings, Ltd., will move this Court, before the Honorable Analisa Torres, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007, on a date and time to be determined by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and the doctrine of *forum non conveniens* dismissing the

Verified Direct and Derivative Amended Complaint in its entirety with prejudice and granting such other and further relief as this Court may deem just and proper.

Dated: November 4, 2021
New York, New York



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