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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ACUITAS THERAPEUTICS INC.,

Plaintiffs,

v.

ARBUTUS BIOPHARMA CORP. and GENEVANT
SCIENCES GMBH,

Defendants.

Civil Action No. 3:23-4200-ZNQ-TJB

**DEFENDANTS' NOTICE OF
MOTION TO DISMISS PLAINTIFF
ACUITAS THERAPEUTICS INC.'S
COMPLAINT PURSUANT
TO RULE 12(b)(1)**

Motion Date: November 6, 2023

ORAL ARGUMENT REQUESTED

Document Filed Electronically

TO: All Counsel of Record

PLEASE TAKE NOTICE that on **Monday, November 6, 2023 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, Defendants Arbutus Biopharma Corp. and Genevant Sciences GmbH (collectively, “Defendants”) shall appear before the Honorable Zahid N. Quraishi, U.S.D.J. at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Courtroom 4W, Trenton, New Jersey 08608, and shall move this Court for an Order dismissing Plaintiff Acuitas Therapeutics Inc.’s (“Plaintiff”) Complaint against them pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction.

PLEASE TAKE FURTHER NOTICE that in support of their Motion, the Defendants shall rely upon their Brief, the Declaration of Nicola R. Felice (with exhibits), submitted concurrently herewith, any Reply papers to be submitted, and oral argument, if any. A proposed form of Order is also submitted for the Court’s consideration.

Dated: October 13, 2023

Respectfully submitted,

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