

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/16/2022

ACUITAS THERAPEUTICS INC.,

Plaintiff,

-against-

GENEVANT SCIENCES GMBH, AND  
ARBUTUS BIOPHARMA CORP.,

Defendants.

1:22-cv-02229-MKV

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Defendants submitted a request for a pre-motion conference on their anticipated motion to dismiss the Plaintiff's complaint (ECF #31). The Plaintiff opposes the request and asks that the case move forward into discovery (ECF #34). After reviewing the arguments set out in the parties' submissions, the motion for a pre-motion conference is DENIED, and defendants are GRANTED leave to file a motion to dismiss on the schedule set forth below.

IT IS FURTHER ORDERED that on or before August 23, 2022, Plaintiff must inform the Court via letter whether it intends to amend its complaint. This will be Plaintiff's last opportunity to amend the complaint in response to arguments raised in the parties' letters.


IT IS FURTHER ORDERED that if the Plaintiff does not amend its complaint, Defendants must file their motion to dismiss on or before September 6, 2022. Plaintiff's opposition will be due September 20, 2022. Any reply will be due September 27, 2022.

IT IS FURTHER ORDERED that if the Plaintiff elects to amend its complaint, the amended complaint is due on or before September 6, 2022. Defendants must respond to any amended complaint within 14 days of its filing. In the event Defendants file a new motion to dismiss, the briefing for that motion will be on the schedule set forth in Local Rule 6.1(b).

Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

SO ORDERED

Dated: New York, New York  
August 16, 2022

  
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MARY KAY VYSKOCIL  
United States District Judge