

At IAS Part 53 of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse located at 60 Centre Street, New York, New York on the 13 day of January 2023

HON. ANDREW BORROK
J.S.C.

PRESENT:

Justice

In re INFINITY Q DIVERSIFIED ALPHA FUND SECURITIES LITIGATION

Index No. 651295/2021

Part 53: Justice Andrew S. Borrok

SEQ. 019


~~PROPOSED~~ ORDER TO SHOW CAUSE

Upon reading the supporting Affirmation of Aaron T. Morris, dated January 11, 2023 (the "Morris Affirmation"), and the attached exhibits, and all pleadings and proceedings relevant to this action, *In re: Infinity Q Diversified Alpha Fund Securities Litigation*, 651295/2021 (N.Y. Sup. Ct.), it is hereby:

ORDERED that the parties show cause before this Court, at the Courthouse located at 60 Centre Street, Part 53, Room 238, New York, New York, 10007, on the 28 day of February, 2022, at 2pm, or as soon thereafter as counsel can be heard, why an order should not be issued:

1. directing non-party U.S. Bancorp Fund Services, LLC ("U.S. Bancorp") to produce, within 3 days of this Order, any and all documents responsive to the Subpoena Duces Tecum, dated December 9, 2022, served on U.S. Bancorp by intervenor Charles Sherck; and
2. granting such other and further relief as the Court deems proper.

ORDERED that a copy of this order and the papers on which it is based be served on all counsel by NYSCEF by 1/13/23; and it is further ORDERED that any opposition papers shall be filed on NYSCEF by 2/7/23; and it is further ORDERED that the settlement hearing scheduled for 1/31/23 is adjourned to 4/17/23, and the parties shall provide notice of the same (NYSCEF Doc. No. 181, ¶ 10).


HON. ANDREW BORROK
J.S.C.

SO ORDERED:

DATED: 13 day of January, 2023



THE HONORABLE ANDREW S. BORROK, J.S.C.