

**VIA NYSCEF**

September 25, 2025

Hon. Anar Rathod Patel, A.J.S.C.  
Supreme Court of the State of New York,  
Commercial Division  
60 Centre Street, Courtroom 428  
New York, NY 10007

Re: *Koza v. Mutual Fund Series Trust*, Index No. 655297/2020,  
Joint Letter Regarding Notification of Settlement

---

Dear Justice Patel:

We write jointly on behalf of the Parties in the above-captioned action under §III.C of this Court’s Practices and Procedures, which directs parties to “immediately inform the Court by letter, filed on NYSCEF” “[i]f an action or motion is settled.”<sup>1</sup> The Parties have, with the assistance of an independent mediator, reached an agreement in principle to settle this action.

As a result, the Parties respectfully request that the Court stay all pending deadlines in this action until further notice, including those set forth in the Court’s Order Approving Proposed Plan for Dissemination of Notice of Pendency of Class Action ([NYSCEF No. 171](#)). The Parties are working expeditiously to prepare a written settlement agreement. Roughly 60 days within the execution of such an agreement, Plaintiff will submit a motion for preliminary approval of the Class settlement and proposed notice of the settlement to the Class pursuant to CPLR 904, superseding the proposed notice of pendency of the action contemplated by NYSCEF Nos. [165](#) and [171](#).

---

<sup>1</sup> “Parties” refers to Plaintiff and Class Representative Susan Koza (“Plaintiff”) and Defendants Mutual Fund Series Trust, AlphaCentric Advisors LLC, Northern Lights Distributors, LLC, Jerry Szilagyi, Erik Naviloff, Frederick Schmidt, Tobias Caldwell, and Tiberiu Weisz.

Hon. Anar Rathod Patel, A.J.S.C.

September 25, 2025

Page 2

Respectfully submitted,

September 25, 2025

SCOTT+SCOTT  
ATTORNEYS AT LAW LLP

/s/ Marc J. Greco

---

Marc J. Greco  
Mandeep S. Minhas  
Anna Hunanyan  
The Helmsley Building  
230 Park Avenue, 24th Floor  
New York, NY 10169  
(212) 223-6444  
mgreco@scott-scott.com  
mminhas@scott-scott.com  
ahunanyan@scott-scott.com

SCOTT+SCOTT  
ATTORNEYS AT LAW LLP  
Amanda F. Lawrence  
156 South Main Street, P.O. Box 192  
Colchester, CT 06415  
(860) 537-5537  
alawrence@scott-scott.com

*Counsel for Plaintiff and Class  
Representative Susan Koza and the Class*

CRIDEN & LOVE, P.A.

/s/ Lindsey C. Grossman

---

Lindsey C. Grossman  
Michael E. Criden  
7301 SW 57th Court, Suite 515  
South Miami, FL 33143  
(305) 357-9000  
lgrossman@cridenlove.com  
mcriden@cridenlove.com

*Counsel for Plaintiff and Class  
Representative Susan Koza*

September 25, 2025

LAZARE POTTER  
GIACOVAS & MOYLE LLP

/s/ James F. Moyle

---

James F. Moyle  
Jacob A. Englander  
Christina Dellaporte  
747 Third Avenue, 16th Floor  
New York, NY 10017  
(212) 758-9300  
jmoyle@lpgmlaw.com  
jenglander@lpgmlaw.com  
cdellaporte@lpgmlaw.com

*Counsel for Defendants Mutual Fund Series  
Trust, AlphaCentric Advisors LLC, Northern  
Lights Distributors, LLC, Jerry Szilagy, Erik  
Naviloff, and Frederick Schmidt*

BLANK ROME LLP

/s/ Evan H. Lechtman

---

Evan H. Lechtman  
Andrew T. Hamblton  
Elizabeth V. Young  
1271 Avenue of the Americas  
New York, NY 10020  
(212) 885-5000  
evan.lechtman@blankrome.com  
andrew.hamblton@blankrome.com  
Elizabeth.young@blankrome.com

*Counsel for Defendants Tobias Caldwell and  
Tiberiu Weisz*