

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

SUSAN KOZA, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

MUTUAL FUND SERIES TRUST,
ALPHACENTRIC ADVISORS LLC,
NORTHERN LIGHTS DISTRIBUTORS LLC,
GARRISON POINT CAPITAL, LLC, JERRY
SZILAGYI, BERT PARISER, TOBIAS
CALDWELL, TIBERIU WEISZ, FREDRICK
SCHMIDT, and ERIK NAVILOFF,

Defendants.

Index No. 655297/2020

~~(Chen, J.)~~

JUDGMENT

Defendant Garrison Point Capital, LLC (“Garrison Point”), by its attorneys Katten Muchin
Rosenman LLP, having moved this Court for an order granting dismissal pursuant to CPLR §§
3211(a)(1), 3211(a)(7) and 3211(a)(8); and said motion having been heard by the Court; and the
Court having granted Garrison Point’s motion by order dated February 16, 2023 (the “Order”);

NOW, on motion of Katten Muchin Rosenman LLP, attorneys for Garrison Point, and upon

the upon the Order, a copy of which is annexed hereto, it is

the amended complaint against defendant Capital, LLC

ADJUDGED that Garrison Point is dismissed ~~from this action with prejudice.~~

23 rd May. 2023

~~Entered:~~

Milton Adawi Tunjaja

CLERK



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

SUSAN KOZA, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

MUTUAL FUND SERIES TRUST,
ALPHACENTRIC ADVISORS LLC,
NORTHERN LIGHTS DISTRIBUTORS LLC,
GARRISON POINT CAPITAL, LLC, JERRY
SZILAGYI, BERT PARISER, TOBIAS
CALDWELL, TIBERIU WEISZ, FREDRICK
SCHMIDT, and ERIK NAVILOFF,

Defendants.

:
:
:
: Index No. 655297/2020
: (Chan, J.)
:

**AFFIRMATION WAIVING COSTS AND
DISBURSEMENTS**

MARK T. CIANI, an attorney duly admitted to practice before the Courts of the State of
New York, hereby affirms the following to be true under penalty of perjury:

1. I am an attorney at law, and am a member of the firm of Katten Muchin
Rosenman LLP (“Katten”), the attorneys of record for defendant Garrison Point Capital, LLC
(“Garrison Point”) in the within action, and as such am fully familiar with the facts of this case
and the proceedings heretofore had herein.

2. By order dated February 16, 2023, this Court granted Garrison Point’s motion to
dismiss.

3. On April 19, 2023, Garrison Point filed a proposed Judgment (the “Judgment”) to
dismiss the action against Garrison Point.

4. On May 16, 2023, the Court directed Garrison Point to re-upload the Judgment
with this Affirmation Waiving Costs and Disbursements.

5. I submit this affirmation in order to waive Garrison Point's entitlement to the costs and disbursements in this action as taxed by the Clerk of the Court, with interest thereon from the date of any Judgment.

Dated: New York, New York
May 16, 2023

DocuSigned by:
Mark T. Ciani
C42DCA8030BA42D

MARK T. CIANI

FILED
May 23 2023
NEW YORK
COUNTY CLERK'S OFFICE

Index No: 655297/2020

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

**SUSAN KOZA, Individually and On Behalf of
All Others Similarly Situated,**

Plaintiff,

v.

**MUTUAL FUND SERIES TRUST, ALPHACENTRIC
ADVISORS LLC, NORTHERN LIGHTS DISTRIBUTORS
LLC, GARRISON POINT CAPITAL, LLC, JERRY
SZILAGYI, BERT PARISER, TOBIAS CALDWELL,
TIBERIU WEISZ, FREDRICK SCHMIDT, and ERIK
NAVILOFF,**

Defendants.

**JUDGMENT ~~AND AFFIRMATION WAIVING COSTS
AND DISBURSEMENTS~~**

KATTEN MUCHIN ROSENMAN LLP

Attorneys for Defendant

50 Rockefeller Plaza

New York, New York 10020-1605

(212) 940-8800

