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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FREDERICK M. CARGIAN,

Plaintiff,

- against -

BREITLING USA, INC.,

Defendant.

**ECF Case**

**No. 15-cv-01084 (GBD)**

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that, upon defendant's Local Rule 56.1 Statement of Undisputed Material Facts, dated February 29, 2016; the Declaration of Zev Singer, dated February 29, 2016, and the declarations and exhibits annexed thereto, the accompanying Memorandum of Law in Support of Defendant's Motion for Summary Judgment, dated February 29, 2016, and upon all other pleadings and proceedings herein, Defendant Breitling USA, Inc. ("Defendant") will move this Court, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, before the Honorable George B Daniels, on a date and time designated by the Court for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting Defendant summary judgment and dismissing all claims in this action.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with the briefing schedule set by the Court, the Plaintiff is to serve his opposition papers no later than March 28, 2016, and Defendant's reply papers are to be served no later than April 11, 2016.

Dated: February 29, 2016  
New York, New York

FOX ROTHSCHILD LLP

*/s/ Zev Singer*

By: \_\_\_\_\_  
Glenn S. Grindlinger  
Zev Singer

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*ATTORNEYS FOR BREITLING USA, INC.*

TO: All attorneys of record (via ECF)