MEMO ENDORSED

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Application of EISER INFRASTRUCTURE LIMITED *et al.*, Petitioners, For Recognition and Enforcement of an Arbitration Award - against - KINGDOM OF SPAIN Respondent.	No. 17 CV 3808 (LAK)

NOTICE OF MOTION TO VACATE *EX PARTE* JUDGMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of Joseph D. Pizzurro, dated June 28, 2017, with the Exhibits attached thereto, the Respondent Kingdom of Spain, by its undersigned counsel, will move this Court, at the United States Courthouse located at 500 Pearl Street, New York, New York, on a date and time to be determined by the Court, for entry of an Order pursuant to Fed. R. Civ. P. 60(b) vacating the Order and Judgment, dated June 27, 2017, in the above-captioned case.

By making this Motion, the Kingdom of Spain specifically reserves all of its rights and does not waive any of its defenses or its sovereign immunity.

Motion granted. *Mobil Cerro Negro, Ltd. v. Bolivarian Republic of Venezuela*, 863 F.3d 96 (2d Cir. 2017); *Micula v. Gov't of Romania*, 2017 WL 4772435 (2d Cir. Oct. 23, 2017) (summary order). The Clerk shall reopen the case.

SO ORDERED

LEWIS A. KAPLAN, USDJ
11/13/17