

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

In re Danimer Scientific, Inc. Securities
Litigation

Master File No. 1:21-cv-02708- MKB-RLM

CLASS ACTION

This Document Relates To:

ALL ACTIONS

**NOTICE OF DEFENDANTS' MOTION
TO DISMISS THE CONSOLIDATED
AMENDED COMPLAINT**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Defendants' Motion to Dismiss the Consolidated Amended Complaint, the accompanying Declaration of Brian M. Lutz, dated May 20, 2022, and the exhibits attached thereto, and upon the pleadings filed in this action, Defendants Danimer Scientific, Inc. f/k/a Live Oak Acquisition Corp. ("Danimer" or the "Company") and Stephen Croskrey, John Dowdy, Richard Hendrix, John P. Amboian, Christy Basco, Philip Gregory Calhoun, Gregory Hunt, Isao Noda, Stuart Pratt, Andrea K. Tarbox, Tor R. Braham, Jonathan Furer, Harold Ford Jr., and John W. Sweet (the "Individual Defendants") (collectively, the "Defendants") will move before the Honorable Margo K. Brodie, United States District Judge for the Eastern District of New York, at the U.S. District Court, 225 Cadman Plaza East, Brooklyn, New York, as soon as counsel can be heard pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 9(b) and the Private Securities Litigation Reform Act, 15 U.S.C. §§ 77z-2, 78u-4(b)(3)(A), and 78u-5, for an order dismissing the Consolidated Amended Complaint with prejudice.

Pursuant to the May 13, 2022 Stipulation and Order (ECF 59), answering papers shall be filed on or before July 21, 2022, and any reply papers shall be served on or before September 6, 2022.

By: /s/ Brian M. Lutz

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