

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 21-2989-MDL-ALTONAGA/Torres

IN RE:

**JANUARY 2021 SHORT SQUEEZE
TRADING LITIGATION**

This Document Relates to:

ALL ANTITRUST ACTIONS

**ANTITRUST PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY IN
SUPPORT OF OPPOSITION TO DEFENDANTS' MOTION TO DISMISS THE
COMPLAINT**

Consistent with the requirements for filing supplemental authority before courts in the Southern District of Florida, *Minus v. Miami-Dade Cty.*, 19-cv-25113-BLOOM/Louis, 2021 WL 1185683, at *1 (S.D. Fla. Mar. 26, 2021) (quoting *Girard v. Aztec RV Resort Inc.*, No. 10-62298-CIV, 2011 WL 4345443, at *2 (S.D. Fla. Sept. 16, 2011)), the Antitrust Plaintiffs direct the Court's attention to new legal authority in support of Antitrust Plaintiffs' Opposition to Defendants' Motion to Dismiss the Complaint [ECF No. 413] (the "Opposition").

The Antitrust Plaintiffs filed the Opposition on September 21, 2021. Subsequently, on September 28, 2021, District Court Judge Katherine Polk Failla issued an Opinion and Order in *In re Tether and Bitfinex Crypto Asset Litigation*, 19 Civ. 9236 (S.D.N.Y.) granting in part and denying in part defendants' motions to dismiss, finding, *inter alia*, that plaintiffs sufficiently pled an antitrust conspiracy alleging that defendants, including issuers of a crypto-asset and operators of crypto-exchanges, conspired to manipulate prices in the cryptocommodity market. A copy of Judge Failla's Opinion and Order is attached hereto as **Exhibit A**.¹

In particular, the Antitrust Plaintiffs direct the Court's attention to Part B.2.a.i. of the Opinion and Order titled "Plaintiffs Adequately Allege an Antitrust Injury" at pages 46-50 and footnote 30 therein (*see also* Opposition at 31-32 ("Plaintiffs' Claims Are a Paradigmatic Antitrust Injury")); and to Part B.2.b.iii of the Opinion and Order titled "Plaintiffs Adequately Allege That Defendants Conspired to Restrain Trade in Violation of Sections 1 and 3 of the Sherman Act" at pages 65-73 and footnote 35 therein (*see also* Opposition at 4-21 ("Plaintiffs Plead a Plausible Conspiracy in Violation of § 1 of the Sherman Act"))).

¹ Judge Failla's Opinion and Order is also available electronically. *In re Tether and Bitfinex Crypto Asset Litig.*, No. 19 Civ. 9236 (KPF), 2021 WL 4452181 (S.D.N.Y. Sep. 28, 2021).

Dated: October 22, 2021

Respectfully submitted,

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