

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARY K. JONES, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

v.

PFIZER INC., et al.,

Defendants.

Civil Action No. 1:10-cv-03864-AKH

Hon. Alvin K. Hellerstein

**DEFENDANT JEFFREY B. KINDLER'S NOTICE OF MOTION FOR AN
ORDER GRANTING SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Defendant Jeffrey B. Kindler's Motion for Summary Judgment, Statement of Undisputed Material Facts Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rule 56.1 of the Local Civil Rules of the United States District Court for the Southern District of New York, Declaration of Joseph G. Petrosinelli in Support of Pfizer's Motion for Summary Judgment dated October 30, 2014 and Exhibits annexed thereto, Declaration of James P. Rouhandeh dated October 30, 2014 and Exhibits annexed thereto, and all prior pleadings and proceedings in this action, Defendant Jeffrey B. Kindler, by his undersigned counsel, will move this Court on a date and at such a time as may be designated by the Court located in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, for an Order pursuant to Federal Rule of Civil Procedure 56, granting summary judgment in Mr. Kindler's favor. Mr. Kindler respectfully requests oral argument on his motion for summary judgment.

Dated: October 30, 2014

Respectfully submitted,

By: /s/ James P. Rouhandeh

James P. Rouhandeh
rouhandeh@davispolk.com
Charles S. Duggan
charles.duggan@davispolk.com
Sidney Bashago
sidney.bashago@davispolk.com
Juliana N. Murray
juliana.murray@davispolk.com

DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
Tel: (212) 450-4000

Counsel for Jeffrey B. Kindler