

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: MALLINCKRODT PLC, <i>et al.</i> , Reorganized Debtors.	Chapter 11 Case No. 20-12522 (JTD) (Jointly Administered)
OPIOID MASTER DISBURSEMENT TRUST II, Plaintiff, v. ARGOS CAPITAL APPRECIATION MASTER FUND LP, <i>et al.</i> , Defendants.	Adversary Proceeding No. 22-50435 (JTD)

**DEFENDANT VIRTU AMERICAS LLC’S MOTION TO DISMISS
PURSUANT TO THE PROTOCOL ORDER RELATING TO CONDUITS, NON-
TRANSFEREES, “STOCKBROKERS,” “FINANCIAL INSTITUTIONS,”
“FINANCIAL PARTICIPANTS,” AND DISSOLVED ENTITIES**

Defendant Virtu Americas LLC (“VAL”), by and through its undersigned counsel, hereby moves, pursuant to the Protocol Order Relating to Conduits, Non-Transferees, “Stockbrokers,” “Financial Institutions,” “Financial Participants,” and Dissolved Entities, for an Order dismissing VAL (including, for avoidance of doubt, VAL’s predecessors KCG Americas LLC and Virtu Financial BD LLC) from the above-captioned adversary proceeding. The grounds for this motion are set forth in VAL’s Opening Brief filed contemporaneously herewith.

Dated: July 26, 2024

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[PROPOSED] ORDER

This matter having come before the Court on Defendant Virtu Americas LLC’s Motion to Dismiss Pursuant to the Protocol Order Relating to Conduits, Non-Transferees, “Stockbrokers,” “Financial Institutions,” “Financial Participants,” and Dissolved Entities (the “Motion”), filed on July 26, 2024 by Defendant Virtu Americas LLC (“VAL”) in the above-captioned adversary proceeding (the “Adversary Proceeding”) seeking dismissal of VAL (including, for avoidance of doubt, VAL’s predecessors KCG Americas LLC and Virtu Financial BD LLC named in the Amended Complaint [D.I. 209]) (the “Virtu Entities”) from the Adversary Proceeding pursuant to the Protocol Order Relating to Conduits, Non-Transferees, “Stockbrokers,” “Financial Institutions,” “Financial Participants,” and Dissolved Entities [D.I. 185-1] (the “Protocol Order”); and the Court having considered the Motion, any objection to the Motion, any reply in support of the Motion, and all other papers filed in support of or opposition to the Motion; and the Court

having held a hearing (if any) on the Motion and having considered the arguments made by counsel for the parties; and the Court having determined that the legal and factual bases set forth in the Motion, briefs in support, and the declarations in support of the Motion establish just cause for the relief requested in the Motion; and this Court having subject matter jurisdiction to consider and to determine the Motion in accordance with 28 U.S.C. § 1334; and this Court having found that due and sufficient notice was given under the circumstances; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. Pursuant to the Protocol Order, the Virtu Entities are hereby dismissed from the Adversary Proceeding.
3. The Trust's claims against the Virtu Entities are dismissed with prejudice.