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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
NICOLE O'CONNELL, individually and :
on behalf of all others similarly situated, :
:
Plaintiff, :
:
v. :
:
CELLCEUTIX CORP., LEO EHRLICH, AND :
KRISHNA MENON, :
Defendants. :
----- X

15 Civ. 7194 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On September 11, 2015, Plaintiff filed a class action lawsuit on behalf of certain stockholders in Cellceutix Corp. The complaint alleges violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the "1934 Act"), 15 U.S.C. §§ 78j(b), 78t(a).

The Private Securities Litigation Reform Act ("PSLRA"), 15 U.S.C. § 78u-4(a)(3)(A), requires that:

Not later than 20 days after the date on which the complaint is filed, the plaintiff or plaintiffs shall cause to be published, in a widely circulated national business-oriented publication or wire service, a notice advising members of the purported plaintiff class--

- (I) of the pendency of the action, the claims asserted therein, and the purported class period; and
- (II) that, not later than 60 days after the date on which the notice is published, any member of the purported class may move the court to serve as lead plaintiff of the purported class.

15 U.S.C. § 78u-4(a)(3)(A)(i). The PSLRA also requires that not later than 90 days after the date on which notice is published, the Court shall consider any motion made by a purported class member in response to the notice, and shall appoint as lead plaintiff the member or members of the purported plaintiff class that the Court determines to be most capable of adequately representing the interests of class members. *See id.* § 78u-4(a)(3)(B)(i). In the event that more than one action on behalf of a class asserting substantially the same claim or claims has been filed, and any party has sought to consolidate those actions for pretrial purposes or for trial, the Court shall not appoint a lead plaintiff until after a decision on the motion to consolidate is rendered. *See id.* § 78u-4(a)(3)(B)(ii).

Plaintiff's counsel published the required notice on September 11, 2015. Members of the purported class therefore have until **December 10, 2015** to move the Court to serve as lead plaintiffs. Accordingly, it is hereby

ORDERED that opposition to any motion for appointment of lead plaintiff shall be served and filed by **January 11, 2016**.

IT IS FURTHER ORDERED that a conference shall be held at **3:30 pm** on **January 19, 2016** in Courtroom 618, United States Courthouse, 40 Foley Square, New York, New York to consider any motions for appointment of lead plaintiff and lead counsel and for consolidation.

IT IS FURTHER ORDERED that the named plaintiffs shall promptly serve a copy of this Order on each of the defendants.

SO ORDERED.

Dated: October 8, 2015
 New York, New York

A handwritten signature in blue ink that reads "Katherine Polk Faila". The signature is written in a cursive style.

KATHERINE POLK FAILLA
United States District Judge