

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARTIN TROTT and CHRISTOPHER SMITH,
as Joint Official Liquidators and Foreign
Representatives of PLATINUM PARTNERS
VALUE ARBITRAGE FUND L.P. (in OFFICIAL
LIQUIDATION) and PLATINUM PARTNERS
VALUE ARBITRAGE FUND L.P. (in OFFICIAL
LIQUIDATION),

Plaintiffs,

v.

PLATINUM MANAGEMENT (NY) LLC, *et al.*,

Defendants.

NO. 18-CIV-10936 (JSR)

NOTICE OF MOTION OF
DEFENDANTS MICHAEL
NORDLICHT AND KEVIN CASSIDY
IN SUPPORT OF THEIR MOTION TO
DISMISS THE COMPLAINT FOR
FAILURE TO STATE A CLAIM

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Notice of Motion and Memorandum of Law filed by Defendant David Bodner (Dkt. Nos. 71-72), and all prior pleadings and proceedings had herein, Defendants Michael Nordlicht and Kevin Cassidy hereby move this Court before the Honorable Jed S. Rakoff, U.S. District Judge for the Southern District of New York at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, pursuant to Fed. R. Civ. P. Rules 9(b) and 12(b)(6), for an order to dismiss the claims asserted against them in the Complaint with prejudice on the grounds that the Complaint fails to state claims upon which relief may be granted against them.

PLEASE TAKE FURTHER NOTICE that, in accordance with Rule 2(d) of the Individual Rules of Practice of this Court:

1. Opposition papers, if any, shall be filed on or before January 23, 2019.
2. Reply papers, if any, shall be filed on or before January 30, 2019.

3. Oral argument on this motion will be heard on February 8, 2019 at 11:00 A.M.

DATED: New York, New York
January 9, 2019

**MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.**

By: /s/
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*Attorney for Defendants
Michael Nordlicht and Kevin Cassidy*