

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,

-against-

PLATINUM MANAGEMENT (NY) LLC, et al.,

Defendants.

Civil Action No. 1:18-cv-10936-JSR

**NOTICE OF MOTION TO DISMISS THE COMPLAINT
BY DEFENDANT LEON MEYERS, NAMED HERE AS LEON MYERS**

PLEASE TAKE NOTICE that defendant Leon Meyers, named here as Leon Myers, respectfully moves the Court before the Hon. Jed S. Rakoff, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order under Federal Rule of Civil Procedure 12(b)(6) dismissing the Complaint in its entirety as to defendant Leon Meyers.

PLEASE TAKE FURTHER NOTICE that in support of his motion, defendant Leon Meyers will rely upon the accompanying Declaration of Daniel Tepper; the accompanying Memorandum of Law; the Memorandum of Law filed by defendant David Bodner dated January 9, 2019 (D.E. 72); and the Memorandum of Law filed by Defendants Morris Fuchs *et al.* dated January 9, 2019 (D.E. 69).

PLEASE TAKE FURTHER NOTICE that, plaintiffs' response, if any, is due January 23, 2019; and defendant's reply, if any, is due January 30, 2019; and this Court has set oral argument for February 8, 2019, at 11:00 a.m.

Dated: New York, New York
January 11, 2019

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

/s/ Daniel Tepper
Daniel Tepper
270 Madison Avenue
New York, New York 10016
Tel.: (212) 545-4600
Fax: (212) 686-0114
tepper@whafh.com

*Attorneys for defendant Leon Meyers
n/h/a Leon Myers*