

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
ATTORNEY(S) CIVIL ACTION GROUP DBA APS INTERNATIONAL, LTD  
7800 GLENROY ROAD MINNEAPOLIS, MN 55439 | HOLLAND & KNIGHT LLP

PH: (800) 328-7171

Index Number: 1:18-cv-10936  
Date Filed: 11/21/2018  
Court/Return Date:

MARTIN TROTT, et al.

Plaintiff

VS

PLATINUM MANAGEMENT (NY), et al.

Defendant.

STATE OF NEW YORK, COUNTY OF NASSAU, SS.:

**AFFIDAVIT OF SERVICE**

Marwan Elgizawy, being sworn says:

Deponent is not a party herein is over the age of 18 years and resides in the State of New York.

On December 28, 2018, at 12:47 PM at 229 WEST 80TH STREET, APT. 80, NEW YORK, NY 10023, Deponent served the within Summons and Complaint with Exhibits 1-96

The index number and the filing date of the action were endorsed upon the face of the papers so served herein.

On: DANIEL SMALL, therein named, (hereinafter referred to as "subject").

#1 INDIVIDUAL

By delivering a true copy of each to said subject personally; Deponent knew the person so served to be the person described in as said subject therein.

#2 ENTITY/CORPORATION/LLC/LLP

By delivering to and leaving with said individual to be who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.

#3 SUITABLE AGE PERSON

By delivering thereat a true copy of each to Ray Doe ( ) a person of suitable age and discretion. Said premises is subject's: ( ) actual place of business / employment (X) dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR

By affixing a true copy of each to the door of said premises which is subjects ( ) actual place of business / employment ( ) dwelling house (usual place of abode) within the state. Deponent was unable with due diligence to find subject or person of suitable age and discretion thereat having called thereat on

Address confirmation:

#5 MAILING

On, service was completed by mailing a true copy of the above stated document(s) to DANIEL SMALL at the above stated address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

#6 DESCRIPTION

Sex: Male Color of skin: Black Color of hair: Black Age: 21-35  
Height: 5ft9in-8ft0in Weight: 161-200 Lbs. Other Features:

#7 WITNESS FEES

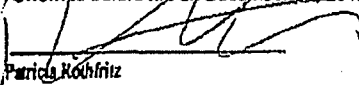
The authorized witness fee and / or travelling expenses were paid (tendered) to the recipient in the amount of \$

#8 MILITARY SERVICE

Deponent asked person spoken to whether the person to be served is currently active in the military service of the United States or of the State of New York, and was informed that said person is not.

#9 OTHER


Sworn to before me on December 31, 2018



Patricia Koblitz  
NOTARY PUBLIC STATE OF New York  
No. 01R06055303, Qualified in Nassau County  
Commission Expires February 26, 2019



Client's File No.: 152772-0021

  
Process Server, Please Sign  
Marwan Elgizawy  
Lic# 2076592  
Job #: 1838106

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
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),

Civil Action No. 18-cv-10936-JSR

Plaintiffs,

-against-

**AFFIDAVIT OF SERVICE**

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

Defendants.

-----X  
STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF NEW YORK        )

**Gustavo Manuela**, being duly sworn, deposes and says:

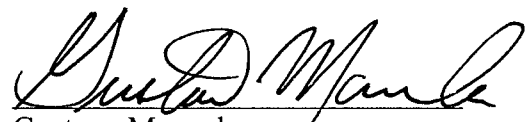
1. I am over 18 years of age, am employed by the firm of Holland & Knight, LLP, 31 W. 52<sup>nd</sup> Street, New York, NY 10019, am not a party to this action and reside in the County of Kings, State of New York.

2. That on Friday, January 4, 2019, I served a true copy of the **Summons in Civil Action and Complaint with Exhibits 1-96**, by depositing it, properly enclosed in sealed, post-paid envelope bearing the legend "personal and confidential" and not indicating on the outside of the envelope that the communication is from an attorney or concerns an alleged debt, to be delivered by Priority First Class Mail, to:

Daniel Small  
229 West 60<sup>th</sup> Street, Apt. 80  
New York, NY 10023

Sworn to before me this  
4 day of January, 2019

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Gustavo Manuela

ELVIN RAMOS  
Notary Public, State of New York  
No. 01RA4870243  
Qualified in Queens County  
Certificate filed in New York County  
Commission Expires September 2, 2022

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the 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)

Plaintiff(s)

v.

PLATINUM MANAGEMENT (NY) LLC et al.

Defendant(s)

Civil Action No. 18-cv-10936 - JSR

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

SEE ATTACHED RIDER

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Warren E. Gluck
Holland & Knight LLP
31 West 52nd Street
New York, NY 10019
warren.gluck@hklaw.com

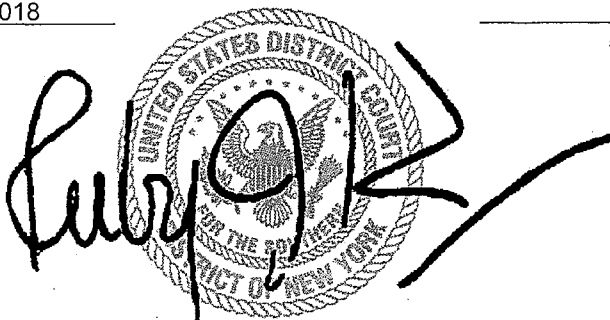
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/07/2018

/s/ D. Howie

Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**RIDER TO SUMMONS IN A CIVIL ACTION**

*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) v.  
Platinum Management (NY) LLC et al.*

**Platinum Management (NY) LLC**  
250 West 55<sup>th</sup> Street, 14<sup>th</sup> Floor  
New York, NY 10019

**Mark Nordlicht**  
245 Trenor Drive  
New Rochelle, NY 10804

**David Levy**  
80 Riverside Boulevard, Apt 24C  
New York, NY 10069-0318

**Naftali Manela**  
1638 59th St.  
Brooklyn, NY 11204

**Dhruv Narain**  
3 Stone Bridge Road  
Purchase, NY 10577-1621

**Estate of Uri Landesman**  
c/o Eric R Breslin  
Duane Morris LLP  
One Riverfront Plaza  
1037 Raymond Blvd., Suite 1800  
Newark, NJ 07102

**Murray Huberfeld**  
15 Manor Lane  
Lawrence, NY 11559

**David Bodner**  
16 Grosser Lane  
Monsey, NY 10952

**David Steinberg**  
358 South Parkway  
Clifton, NJ 07014

**Daniel Small**

229 West 60<sup>th</sup> Street, Apt. 80  
New York, NY 10023

**Gregg Donnenfeld**

60 Spruce Dr.  
Roslyn, NY 11576

**Joseph SanFilippo**

3 Fawn View Court  
Freehold, NJ 07728

**David Ottensoser**

810 Porter Place  
Woodmere, NY 11598-2225

**Bernard Fuchs**

101 Harrison St.  
Lawrence, NY 11559

**Michael Nordlicht**

577 Madison Avenue  
West Hempstead, NY 11552

**Michael Katz**

170 West 76th St., Apt. 803  
New York, NY 10023

**Kevin Cassidy**

7 Killdeer Lane  
Nantucket, MA 02554

**Seth Gerszberg**

229 Chestnut Street  
Englewood, NJ 07631

**Platinum Partners Black Elk Opportunities Fund LLC**

152 West 57<sup>th</sup> Street, 54<sup>th</sup> Floor  
New York, NY 10019

**Platinum Partners Black Elk Opportunities Fund International Ltd.**

152 West 57th Street, 54th Floor  
New York, NY 10174