

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SENIOR HEALTH INSURANCE COMPANY OF :
PENNSYLVANIA, :

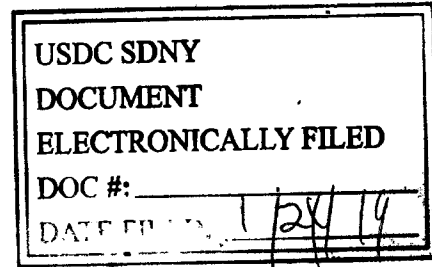
Plaintiff, :

-v- :

BEECHWOOD RE LTD., et al., :

Defendants. :

18-cv-6658 (JSR)



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MARTIN TROTT and CHRISTOPER 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. :

18-cv-10936 (JSR)

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MELANIE L. CYGANOWSKI, as Equity :
Receiver for PLATINUM PARTNERS :
CREDIT OPPORTUNITIES MASTER FUND :
LP, PLATINUM PARTNERS CREDIT :
OPPORTUNITIES FUND (TE) LLC, :
PLATINUM PARTNERS CREDIT :
OPPORTUNITIES FUND LLC, PLATINUM :
PARTNERS CREDIT OPPORTUNITIES FUND :
INTERNATIONAL LTD., PLATINUM :
PARTNERS CREDIT OPPORTUNITIES FUND :
INTERNATIONAL (A) LTD., and :
PLATINUM PARTNERS CREDIT :
OPPORTUNITIES FUND (BL) LLC, :

18-cv-12018 (JSR)

Plaintiff,	:	
	:	
-v-	:	
	:	<u>ORDER</u>
BEECHWOOD RE LTD., et al.,	:	
	:	
Defendants.	:	
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JED S. RAKOFF, U.S.D.J.

The Court held a conference on January 23, 2019 to decide whether to consolidate the above-captioned cases for pretrial purposes. All parties except counsel for Senior Health Insurance Company of Pennsylvania (SHIP) agreed that the cases should be consolidated, and even counsel for SHIP agreed that coordination of discovery was appropriate.

The main argument that counsel for SHIP made against consolidation was that SHIP brought its action before the other above-captioned cases were filed in order to achieve certain strategic benefits. While the Court understands the strategic value of being the first to file, the Court finds that this advantage to one party is outweighed by the considerable efficiencies to the Court and the other parties that will be achieved through consolidation.

Accordingly, the Clerk of the Court is hereby directed to create a master docket styled In re Platinum-Beechwood Litigation and bearing the case number 18-cv-6658 (JSR). All further documentation in any or all of these cases must be filed

on that docket. In addition, documents that relate only to either of the later-filed cases (Trott et al. v. Platinum Management (NY) LLC et al. and Cyganowski v. Beechwood Re Ltd. et al.) must also be filed under the separate docket number relating to that case.

In addition, the Court hereby sets the following case management schedule, which will govern all the consolidated cases:

- Joinder of additional parties must be accomplished by March 29, 2019.
- Amended pleadings may be filed without leave of Court until March 29, 2019.
- First request for production of documents, if any, must be served by February 13, 2019.
- Interrogatories pursuant to Rule 33.3(a) of the Local Civil Rules of the Southern District of New York must be served by February 13, 2019. No other interrogatories will be permitted without prior express authorization by the Court.
- Every party-proponent of a claim (including any counterclaim, cross-claim, or third-party claim) that intends to offer expert testimony in respect of such

claim must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by June 13, 2019.

- Every party-opponent of such claim that intends to offer expert testimony in opposition to such claim must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by July 12, 2019.
- All depositions (including any expert depositions) must be completed by August 2, 2019.
- Requests to Admit, if any, must be served by July 12, 2019.
- All discovery is to be completed by August 2, 2019.
- Post-discovery summary judgment moving papers must be served by August 9, 2019.
- Post-discovery summary judgment answering papers must be served by August 30, 2019.
- Post-discovery summary judgment reply papers must be served by September 13, 2019.
- The case shall be ready for trial by September 20, 2019, though the actual trial date will be set hereinafter.
- A final pre-trial conference, as well as oral argument on any post-discovery summary judgment motions, shall be held on September 20, 2019 at 4:00 PM.

In addition, as indicated at the Court's conference on January 23, 2019, oral argument on the group motions to dismiss in Trott et al. v. Platinum Management (NY) LLC et al. will no longer be heard on February 8, 2019. Instead - and in light of plaintiffs' filing on January 23, 2019 of their First Amended Complaint - the Court hereby sets the following briefing and argument schedule on the group motions to dismiss:

- Any defendant filing or signing on to a group motion to dismiss the First Amended Complaint must file or sign on to that motion by February 4, 2019. Even if a defendant is only renewing its prior motion, the defendant must re-file that motion (with updated citations to the First Amended Complaint, as necessary).
- Plaintiffs must file their answering papers by February 11, 2019.
- Defendants must file their reply papers by February 15, 2019.
- Oral argument on the group motions to dismiss shall be heard on February 25, 2019 at 3:00 PM, and the Court will resolve the motions by the end of February 2019.

SO ORDERED.

Dated: New York, NY
January 24 2019



JED S. RAKOFF, U.S.D.J.