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*Attorneys for Defendant David Bodner*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION,	:	No. 18 Civ. 6658 (JSR)
	:	
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	:	
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	:	No. 18 Civ. 10936 (JSR)
PARTNERS VALUE ARBITRAGE FUND L.P. (in	:	
OFFICIAL LIQUIDATION),	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
PLATINUM MANAGEMENT (NY) LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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**NOTICE OF MOTION TO DISMISS FIRST AMENDED COMPLAINT  
BY DEFENDANT DAVID BODNER**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, defendant David Bodner, by and through his undersigned attorneys, hereby moves this Court in the above-captioned action before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an order dismissing the First Amended Complaint (ECF No. 156) of plaintiffs Martin Trott and Christopher Smith, as the 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) pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted (the “Motion”).

In accordance with Rule 2(d) of the Individual Rules of Practice before this Court, Bodner respectfully sets forth the following:

1. Any defendant that wishes to join in the Motion shall file papers so indicating on or before February 4, 2019;
2. Plaintiffs’ opposition to the Motion shall be filed on or before February 11, 2019;
3. Reply memoranda shall be filed on or before February 15, 2019; and
4. Argument on this motion will be heard on February 25, 2019 at 3:00 p.m.

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Dated: February 4, 2019  
New York, New York

Respectfully submitted,

CURTIS, MALLET-PREVOST,  
COLT & MOSLE LLP

By: /s/ Eliot Lauer

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