

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, *et al.*,

Defendants.

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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. 182-183), 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 First Amended Complaint with prejudice on the grounds that the First Amended Complaint fails to state claims upon which relief may be granted against them.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Court's January 24, 2019 Order (Dkt. 158):

1. Opposition papers, if any, shall be filed on or before February 11, 2019.
2. Reply papers, if any, shall be filed on or before February 15, 2019.
3. Oral argument on this motion will be heard on February 25, 2019 at 3:00 P.M.

Dated: New York, New York
February 4, 2019

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

By: /s/ Therese M. Doherty

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