

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

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,

v.

PLATINUM MANAGEMENT (NY) LLC, MARK
NORDLICHT, DAVID LEVY, ESTATE of URI
LANDESMAN, MURRAY HUBERFELD, DAVID
BODNER, DAVID STEINBERG, DANIEL SMALL,
et al.

Defendants.

Docket No: 1:18-cv-6658 (JSR)

Docket No.: 1:18-cv-10936 (JSR)

**MEMORANDUM OF LAW OF
DEFENDANT ESTATE OF URI
LANDESMAN**

Defendant Estate of Uri Landesman joins the motion of defendant David Bodner (ECF No. 182) to dismiss the First Amended Complaint (“FAC”) for failure to state a claim upon which relief may be granted.

The allegations against the Estate of Uri Landesman (“Landesman”), which is alleged to be one of the Platinum Defendants as defined in the First Amended Complaint, rely entirely on impermissible group pleading that fails to satisfy the standards of Federal Rules of Civil Procedure 8 and 9(b). Indeed, the FAC fails to allege any *facts* against Landesman and instead relies entirely on vague allegations of “sourcing investment opportunities, meeting with and marketing to important investors and developing investment and business strategy.” (FAC ¶ 60.)

For this reason, and for the reasons set forth in the Memorandum of Law filed by defendant David Bodner (ECF No. 183) as to Counts I-VI, XVI, and XVII, the FAC fails to state a cause of action against Landesman for which relief may be granted. Accordingly, the FAC should be dismissed.

DUANE MORRIS LLP

A Delaware Limited Liability Partnership

Dated: Newark, New Jersey
February 4, 2019

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