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*Attorneys for Defendants
Beechwood Trust Nos. 7-14*

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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**REPLY MEMORANDUM OF LAW OF DEFENDANTS
BEECHWOOD TRUST NOS. 7-14 IN FURTHER SUPPORT OF THEIR
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

Defendants Beechwood Trust Nos. 7-14 respectfully submit this reply memorandum of law in further support of their Motion to Dismiss the FAC [ECF No. 187].¹

In their Memorandum in Opposition to Defendants' Motions to Dismiss the First Amended Complaint (the "Opp.") [ECF No. 222], the Joint Official Liquidators of Platinum Partners Value Arbitrage Fund L.P. (the "JOLs") do not rebut the Movant Trusts' argument that the JOLs may not rely on group pleading to hold the Movant Trusts liable as alter egos of Platinum Management. The section of the JOLs' Opposition discussing group pleading standards includes a passing reference to the "Beechwood Entities" – a label the JOLs define to include the "Beechwood Trusts," a group that includes the Movant Trusts – as "a collection of entities established in part to implement the First and Second Schemes and loot PPVA of its assets." (Opp. at 32). The JOLs also conclusorily assert that the Beechwood Entities were "created as the alter ego of Platinum Management." (Opp. at 14). What is lacking is any factual allegation of wrongdoing by or through any of the Movant Trusts. Nor is there any allegation of a written statement by anyone that could be imputed to the Movant Trusts under the group pleading doctrine. The absence of such a statement precludes any conceivable basis for invoking the group pleading doctrine against the Movant Trusts.

For these reasons and for the reasons set forth in the Reply Memorandum of Law filed by defendant David Bodner, the FAC's counts against the Movant Trusts should be dismissed in their entirety, and with prejudice.

¹ Capitalized terms not defined herein shall have the meanings ascribed to them in the Movant Trusts' Memorandum of Law in Support of Their Motion to Dismiss [ECF No. 189]. Citations to the docket refer to Case No. 18 Civ. 10936 (JSR).

Dated: February 15, 2019
New York, New York

CURTIS, MALLET-PREVOST,
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By: /s/ Eliot Lauer

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