

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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,  
et al.,

Defendants.

Case No.: 1:18-cv-10936-JSR

**DEFENDANT JOSEPH  
SANFILIPPO'S JOINDER IN  
MOTIONS TO DISMISS AND  
MEMORANDA OF LAW**

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Defendant Joseph SanFilippo ("Mr. SanFilippo") respectfully joins in the Motions to Dismiss and supporting Memoranda of Law filed in this action by defendants David Bodner, David Ottensoser, David Steinberg and certain individuals and entities identified in the First Amended Complaint as Preferred Investors of the BEOF Funds, including the Estate of Jules Nordlicht, FCBA Trust, Morris Fuchs, Barbara Nordlicht, Aaron Parnes, Sarah Parnes, and Solomon Werdiger. Mr. SanFilippo further reserves his right to join in Motions to Dismiss and supporting Memoranda of Law that may be filed by other defendants in the future.

More specifically, the claims against Mr. SanFilippo should be dismissed because Plaintiffs have failed to satisfy either the basic pleading standards under Rule 12(b)(6) or the heightened pleading standard for fraud and fraud-based claims under Rule 9(b) as to the claims asserted against Mr. SanFilippo.

Accordingly, and for the reasons articulated in the above-named Defendants' Memoranda of Law, all of Plaintiffs' claims against Mr. SanFilippo fail as a matter of law and should be dismissed with prejudice pursuant to Fed. R. Civ. P. 12(6)(6).

Dated: February 11, 2019

By:

  
Joseph SanFilippo

3 Fawnview Court,  
Freehold, NJ 07728  
Flip123077@gmail.com

*Pro Se Defendant*

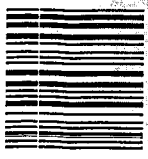


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