

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

PLATINUM-BEECHWOOD LITIGATION,
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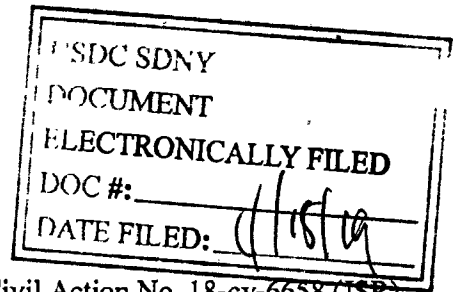
MARTIN TROTT and CHRISTOPHER SMITH, as Joint
Official Liquidators and Foreign Representatives of
PLATINUM PARTNERS VALUE ARBITRAGE FUND
L.P. (in Official Liquidation) and PLATINUM
PARTNERS VALUE ARBITRAGE FUND L.P. (in
Official Liquidation),

Plaintiffs,

-against-

PLATINUM MANAGEMENT (NY) LLC, *et al.*,

Defendants.
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Civil Action No. 18-cv-6658 (JSR)

Civil Action No. 18-cv-10936 (JSR)

STIPULATION

WHEREAS, on January 23, 2019, Plaintiffs Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and for Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) (collectively, "Plaintiffs") filed an Amended Complaint in the above-captioned action ("Amended Complaint") (Dkt. 156) naming Twosons Corporation ("Twosons") as a Defendant;

WHEREAS, on February 4, 2019, Twosons, through the undersigned counsel, filed a Motion to Dismiss the Amended Complaint (Dkt. 202) (the "Motion");

WHEREAS, Plaintiffs and Twosons intend to engage in mediation regarding the claims set forth in the Amended Complaint ("Mediation");

WHEREAS, Twosons withdrew the Motion without prejudice and with express leave to refile pending the outcome of the Mediation;

WHEREAS, the Mediation is currently scheduled for April 17, 2019;

WHEREAS, Plaintiffs and Twosons have previously stipulated that all discovery obligations and deadlines between Plaintiffs and Twosons, as set forth in this Court's January 24, 2019 Scheduling Order [Dkt. No. 94], are hereby tolled until the earlier of conclusion of the Mediation or further stipulation between Plaintiffs and Twosons and the Court approved such stipulation by order dated February 22, 2019 [Dkt. No. 257];

WHEREAS, on March 28, 2019, the Court entered an order (the "Scheduling Order") setting a briefing schedule and date for oral argument for motions to dismiss the Amended Complaint [Dkt. No. 283] and Plaintiffs filed their Second Amended Complaint (the "SAC") on March 29, 2019 [Dkt. No. 285] to which the Scheduling Order applies; and

WHEREAS, in light of the pending Mediation, the Parties have agreed to extend the time by which Twosons shall file its Renewed Motion (as defined below) to dismiss the SAC and by which Plaintiffs shall file their opposition in response but all other deadlines in the Scheduling Order shall remain the same.

IT IS HEREBY STIPULATED AND AGREED, that, in light of the foregoing, the Parties have agreed to the following schedule for Twosons' Motion to Dismiss the Second Amended Complaint on all available grounds (the "Renewed Motion"):

- The Renewed Motion shall be filed on or before May 7, 2019;
- Any Response in opposition to the Renewed Motion shall be filed on or before May 17, 2019;
- Any Reply in further support of the Renewed Motion shall be filed on or before May 23, 2019.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that this Stipulation may be filed without further notice and, for the purposes of filing this Stipulation, this Stipulation may

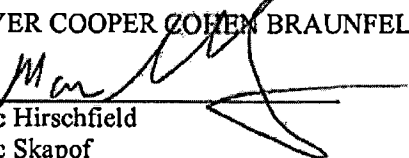
be executed in counterparts, which, when taken together, shall constitute the entire Agreement, and that signatures by facsimile and electronic mail should be considered by the Court the same as original signatures; and

IT IS HEREBY FURTHER STIPULATED AND AGREED, Plaintiffs reserve all rights and remedies at law and equity with respect to Twosons, and Twosons reserves all rights, remedies and defenses at law and equity with respect to Plaintiffs, none of which rights, remedies and defenses are waived.

Dated: April 16, 2019


New York, New York

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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 for Platinum Partners Value Arbitrage
Fund L.P. (in Official Liquidation)*

SO ORDERED:


HONORABLE JEB S. RAKOFF
UNITED STATES DISTRICT JUDGE

4/17/19