

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

IN RE PLATINUM-BEECHWOOD LITIGATION,

Case No.: 1:18-cv-6658-JSR

MARTIN TROTT and CHRISTOPHER SMITH, as  
Joint Official Liquidators and Foreign Representatives  
of PLATINUM PARTNERS VALUE ARBITRAGE  
FUND L.P. (in OFFICIAL LIQUIDATION), *et ano.*,

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

Plaintiffs,

v.

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

Defendants.

**Notice of Defendant Michael Katz's Motion to Dismiss**

Please take notice that, upon the accompanying Memorandum of Law and Declaration of Michael Katz, defendant Michael Katz hereby moves this Court, before the Honorable Jed S. Rakoff, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007 for an order dismissing the Second Amended Complaint (ECF No. 285) of plaintiffs Martin Trott and Christopher Smith, as the 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) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted.

Please take further notice that pursuant to the Order entered by the Court on March 28, 2019 (ECF No. 283), Plaintiffs' opposition papers to this motion are due on or before May 13, 2019; Katz's reply, if any, is due on or before May 23, 2019; and the Court shall hear oral argument on June 4, 2019 at 10:00 a.m.

Dated: April 22, 2019  
New York, New York

Respectfully submitted,

THOMPSON & KNIGHT LLP

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