

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,

-against-

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

Defendants.

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 Daniel Saks ("Saks") as a Defendant;

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]

WHEREAS, On March 29, 2019, Plaintiffs filed their Second Amended Complaint (the "SAC") [Dkt. No. 285] to which the Scheduling Order applies; and

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Civil Action No. 18-cv-6658 (JSR)
18cv6658(JS)

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

WHEREAS, the Plaintiffs and Saks have agreed to extend the time by which Saks shall file his motion 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 Daniel Saks's Motion to Dismiss the Second Amended Complaint on all available grounds (the "Motion to Dismiss"):

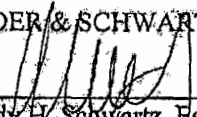
- The Motion to Dismiss shall be filed on or before May 10, 2019;
- Any Response in opposition to the Motion to Dismiss shall be filed on or before May 17, 2019;
- Any Reply in further support of the Motion to Dismiss shall be filed on or before May 23, 2019.

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 Saks, and Saks reserves all rights, remedies and defenses at law and equity with respect to Plaintiffs, none of which rights, remedies and defenses are waived.

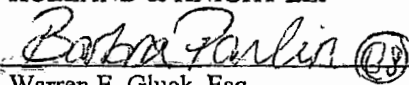
Dated: April 18, 2019
New York, New York

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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 JED S. RAKOFF
UNITED STATES DISTRICT JUDGE

4-12-19