

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

IN RE PLATINUM-BEECHWOOD LITIGATION

---

Civil Action No.  
1:18-cv-00658

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),

Civil Action No.  
1:18-cv-10936

*Plaintiffs,*

v.

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

*Defendants.*

---

**NOTICE OF PB INVESTMENT HOLDINGS, LTD.'S  
MOTION TO DIMISS THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendant PB Investment Holdings, Ltd., as successor-in-interest to Beechwood Bermuda Investment Holdings, Ltd. (“PBIHL”), respectfully moves the Court before the Hon. Jed S. Rakoff, United States District Judge, Southern District of New York, 500 Pearl Street, New York, New York 10007, for an Order under Fed. R. Civ. P. 8, 9(b), and 12(b)(6) dismissing the Second Amended Complaint [ECF 285] in the action captioned *Trott & Smith v. Platinum Management (NY) LLC, et al.*, 18-cv-10936, in its entirety as to PBIHL.

PLEASE TAKE FURTHER NOTICE that PBIHL relies on the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that plaintiffs’ response, if any, is due on May 29, 2019, and PBIHL’s reply, if any, is due on June 1, 2019.

Dated: May 20, 2019

LAW OFFICES OF CHARLES A. GRUEN

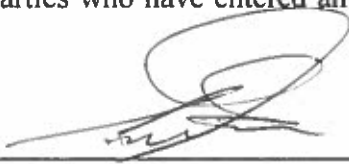
By:   
\_\_\_\_\_  
CHARLES A. GRUEN

*Attorneys for Defendants*  
7703 Fifth Ave, Suite 300  
Brooklyn, New York 11209  
and  
381 Broadway, Suite 300  
Westwood, New Jersey 07675  
(201) 342-1212

Aaron Z. Tobin  
Condon Tobin Sladek Thornton, PLLC  
8080 Park Lane, Suite 700  
Dallas, Texas 75231  
(214)265-3851 Telephone  
(214)691-6311 Fax  
*(Pro Hac Vice to be filed)*

**CERTIFICATE OF SERVICE**

It is hereby certified that on this 20th day of May 2019, a copy of the foregoing was served through the Court's electronic filing system as to all parties who have entered an appearance in this proceeding.

  
\_\_\_\_\_  
CHARLES A. GRUEN