

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION

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No. 18-CV-6658 (JSR)

SENIOR HEALTH INSURANCE  
COMPANY OF PENNSYLVANIA,

Plaintiff,

No. 18-CV-6658 (JSR)

v.

BEECHWOOD RE LTD., et al.,

Defendants.

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SENIOR HEALTH INSURANCE  
COMPANY OF PENNSYLVANIA,

Third Party Plaintiff,

v.

PB INVESTMENT HOLDINGS LTD.,  
BEECHWOOD CAPITAL GROUP, LLC, B  
ASSET MANAGER GP LLC, B ASSET  
MANAGER II GP LLC, MSD  
ADMINISTRATIVE SERVICES LLC,  
PLATINUM MANAGEMENT (NY) LLC, N  
MANAGEMENT LLC, MARK NORDLICHT,  
MURRAY HUBERFELD, DAVID BODNER,  
ESTATE OF URI LANDESMAN, NAFTALI  
MANELA, JOSEPH SANFILIPPO, DANIEL  
SMALL, ELLIOT FEIT, DAVID STEINBERG,  
EZRA BEREN, DAVID OTTENSOSER, WILL  
SLOTA, BERNARD FUCHS a/k/a BERISH  
FUCHS, DANIEL SAKS, HOKYONG KIM a/k/a  
STEWART KIM, BEECHWOOD TRUST NO. 1,  
BEECHWOOD TRUST NO. 2, BEECHWOOD  
TRUST NO. 3, BEECHWOOD TRUST NO. 4,  
BEECHWOOD TRUST NO. 5, BEECHWOOD  
TRUST NO. 6, BEECHWOOD TRUST NO. 7,  
BEECHWOOD TRUST NO. 8, BEECHWOOD

TRUST NO. 9, BEECHWOOD TRUST NO. 10,  
BEECHWOOD TRUST NO. 11, BEECHWOOD  
TRUST NO. 12, BEECHWOOD TRUST NO. 13,  
BEECHWOOD TRUST NO. 14, BEECHWOOD  
TRUST NO. 15, BEECHWOOD TRUST NO. 16,  
BEECHWOOD TRUST NO. 17, BEECHWOOD  
TRUST NO. 18, BEECHWOOD TRUST NO. 19,  
BEECHWOOD TRUST NO. 20 a/k/a THE  
DAVID I LEVY BEECHWOOD TRUST,  
BEECHWOOD ASSET MANAGEMENT  
TRUST I, BEECHWOOD ASSET  
MANAGEMENT TRUST II, BEECHWOOD RE  
INVESTMENTS, LLC SERIES A,  
BEECHWOOD RE INVESTMENTS, LLC  
SERIES B, BEECHWOOD RE INVESTMENTS,  
LLC SERIES C, BEECHWOOD RE  
INVESTMENTS, LLC SERIES D,  
BEECHWOOD RE INVESTMENTS, LLC  
SERIES E, BEECHWOOD RE INVESTMENTS,  
LLC SERIES F, BEECHWOOD RE  
INVESTMENTS, LLC SERIES G,  
BEECHWOOD RE INVESTMENTS, LLC  
SERIES H, BEECHWOOD RE INVESTMENTS,  
LLC SERIES I, ROAD HOLDINGS, LLC,  
LAWRENCE PARTNERS, LLC, MONSEY  
EQUITIES, LLC, WHITESTAR LLC,  
WHITESTAR LLC II, WHITESTAR LLC III,  
PLATINUM CREDIT HOLDINGS, LLC,  
MARK NORDLICHT GRANTOR TRUST,  
DAHLIA KALTER, MICHAEL JOSEPH  
NORDLICHT, KEVIN CASSIDY,  
BEECHWOOD GLOBAL DISTRIBUTION  
TRUST, FEUER FAMILY 2016 ACQ TRUST,  
and TAYLOR-LAU FAMILY 2016 ACQ  
TRUST,

Third Party Defendants.

**STIPULATION AND PROPOSED ORDER**

WHEREAS, on March 15, 2019, the Court ordered that the deadline for “defendants in this case who are also standing trial, or are set to stand trial, in a related criminal matter in the Eastern District of New York [(“E.D.N.Y. Defendants”)] . . . to answer or move to dismiss (if they have

not done so already) is [] extended until two weeks following the completion of their trial.” (Dkt. 183<sup>1</sup>).

WHEREAS, on March 25, 2019, the Court so-ordered the stipulation and proposed order of Naftali Manela (“Manela”) and 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) in Case No. 18-CV-10936, which stated “Manela’s . . . time to respond to the Amended Complaint should be the same as the E.D.N.Y. Defendants.” (Dkt. 200). Manela’s time to respond was extended to two weeks after the completion of the criminal trial, already pending in the Eastern District of New York. (Dkt. 200).

WHEREAS, on April 22, 2019, the Court reiterated that “deadlines to answer or move to dismiss [an amended complaint and certain other cross-claims] do not apply to the [E.D.N.Y. D]efendants . . . .” (Dkt. 264). “The deadline for these defendants to answer or move to dismiss (if they have not done so already) is extended until two weeks following the completion of trial.” (Dkt. 264).

WHEREAS, on May 10, 2019, the Court so-ordered the stipulation and proposed order of Manela and cross-claimant Bernard Fuchs (“Fuchs”), which stated “Manela’s time to respond to [Fuchs’s cross-claims] should be the same as the E.D.N.Y. Defendants.” (Dkt. 381). Manela’s time to respond was extended to two weeks after the completion of the criminal trial, already pending in the Eastern District of New York. (Dkt. 381).

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<sup>1</sup> Unless otherwise noted, all citations reference documents filed in Case No. 18-CV-6658.

WHEREAS, on May 16, 2019, third party plaintiff Senior Health Insurance Company of Pennsylvania (“SHIP”) filed a redacted copy of their cross-claims and third party claims in Case No. 18-CV-6658 (“3d Party Compl.”), naming Manela as a third party defendant. (Dkt. 217).

WHEREAS, on May 17, 2019, the Court so-ordered the stipulation and proposed order of Manela and third party plaintiff Washington National Insurance Company (“WNIC”) and Bankers Conesco Life Insurance Company (“BCLIC”), which stated “Manela’s time to respond to [WNIC and BCLIC’s third party claims] should be the same as the E.D.N.Y. Defendants.” (Dkt. 385). Manela’s time to respond was extended to two weeks after the completion of the criminal trial, already pending in the Eastern District of New York. (Dkt. 385).

WHEREAS, on May 28, 2019, counsel for Manela agreed to accept service of the unredacted 3d Party Compl.

WHEREAS, Manela’s time to respond to the 3d Party Compl. is June 18, 2019.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, that Manela’s time to respond to the 3d Party Compl. should be the same as the E.D.N.Y. Defendants Mark Nordlicht, David Levy, and Joseph SanFilippo. Accordingly, it is agreed that the deadline for Manela to answer or move to dismiss the 3d Party Compl. is extended until two weeks following completion of the trial pending in the Eastern District of New York against defendants Mark Nordlicht, David Levy, and Joseph SanFilippo.

IT IS FURTHER STIPULATED AND AGREED, that no provision of this Stipulation and Order shall be construed as a waiver of any party’s claims or defenses, which each party reserves.

Date: New York, New York  
June 14, 2019

WALDEN MACHT & HARAN LLP

DLA PIPER LLP (US)

/s/ Sean T. Haran

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*Counsel for Senior Health Insurance  
Company of Pennsylvania*

**SO ORDERED:**

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**HONORABLE JED S. RAKOFF**  
**UNITED STATES DISTRICT JUDGE**