

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

IN RE PLATINUM-BEECHWOOD LITIGATION

Docket 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) and PLATINUM PARTNERS  
VALUE ARBITRAGE FUND L.P. (in OFFICIAL  
LIQUIDATION),

Docket No.: 1:18-cv-10936 (JSR)

Plaintiffs,

v.

PLATINUM MANAGEMENT (NY) LLC, MARK  
NORDLICHT, DAVID LEVY, ESTATE of URI  
LANDESMAN, MURRAY HUBERFELD, DAVID  
BODNER, DAVID STEINBERG, DANIEL SMALL,  
et al.

Defendants.

**ANSWER OF ESTATE OF URI LANDESMAN TO PLAINTIFFS'  
SECOND AMENDED COMPLAINT**

Defendant Estate of Uri Landesman (“Landesman”) hereby answers Plaintiffs’ Second Amended Complaint as follows:

**ANSWER**

1. Paragraph 1 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in Paragraph 1 are denied.
2. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 2 and therefore denies such allegations.

3-7. Paragraphs 3 through 7 contain legal conclusions to which no response is required. To the extent a response is required, the allegations in Paragraphs 3 through 7 are denied.

8. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 8 and therefore denies such allegations.

9-11. Paragraphs 9 through 11 contain legal conclusions to which no response is required. To the extent a response is required, the allegations in Paragraphs 9 through 11 are denied.

12. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 12 and therefore denies such allegations.

13. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 13 and therefore denies such allegations. Additionally, the indictment referenced in Paragraph 13 is a writing that speaks for itself, and any characterization of it is denied.

14-27. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 14 through 27 and therefore denies such allegations.

28. Paragraph 28 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 28 and therefore denies such allegations.

29-33. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 29 through 33 and therefore denies such allegations.

34-36. Paragraphs 34 through 36 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 34 through 36 and therefore denies such allegations.

37-54. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 37 through 54 and therefore denies such allegations.

55. Landesman admits that Mr. Landesman passed away on September 14, 2018, and that, prior to his death, Mr. Landesman was a resident of New Rochelle, New York. All remaining characterizations of the facts or legal conclusions are denied.

56-61. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 56 through 61 and therefore denies such allegations.

62-63. Paragraphs 62 and 63 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 62 and 63 and therefore denies such allegations.

64-65. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 64 and 65 and therefore denies such allegations.

66. Paragraph 66 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 66 and therefore denies such allegations.

67-81. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 67 through 81 and therefore denies such allegations.

82. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 82 and therefore denies such allegations. Additionally, the email referenced in Paragraph 82 is a writing that speaks for itself, and any characterization of it is denied.

83-109. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 83 through 109 and therefore denies such allegations.

110. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 110 and therefore denies such allegations. Additionally, the email referenced in Paragraph 110 is a writing that speaks for itself and any characterization of it is denied.

111. Paragraph 111 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 111 and therefore denies such allegations.

112-45. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 112 through 145 and therefore denies such allegations.

146-47. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 146 and 147 and therefore denies such allegations. Additionally, the invoice referenced in Paragraph 146 and the promissory note referenced in Paragraph 147 are writings that speak for themselves, and any characterization of them is denied.

148-73. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 148 through 173 and therefore denies such allegations.

174. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 174 and therefore denies such allegations. Additionally, the tax return referenced in Paragraph 174 is a writing that speaks for itself and any characterization of it is denied.

175-76. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 175 through 176 and therefore denies such allegations.

177-78. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 177 and 178 and therefore denies such allegations. Additionally, the emails referenced in Paragraphs 177 and 178 are writings that speak for themselves, and any characterization of them is denied.

179-220. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 179 through 220 and therefore denies such allegations.

221. Paragraph 221 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 221 and therefore denies such allegations.

222. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 222 and therefore denies such allegations.

223. Admitted.

224. Admitted.

225. Admitted solely that this court has personal jurisdiction over Landesman. The remaining allegations in Paragraph 225 are legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 225 and therefore denies such allegations.

226. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 226 and therefore denies such allegations.

227-29. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 227 through 229 and therefore denies such allegations. Additionally, the agreement specifically referenced in Paragraph 227, and characterized in Paragraphs 228 and 229, is writing that speaks for itself, and any characterization of it is denied.

230-36. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 230 through 236 and therefore denies such allegations.

237. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 237 and therefore denies such allegations. Additionally, the agreement referenced in Paragraph 237 is writing that speaks for itself, and any characterization of it is denied.

238-42. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 238 through 242 and therefore denies such allegations.

243-49. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 243 through 249 and therefore denies such allegations. Additionally, the PPVA Partnership Agreement referenced in these Paragraphs is writing that speaks for itself, and any characterization of it is denied.

250-58. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 250 through 258 and therefore denies such allegations.

259-61. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 259 through 261 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 259 through 261 are writings that speak for themselves, and any characterization of them is denied.

262-63. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 262 and 263 and therefore denies such allegations.

264-68. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 264 through 268 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 264 through 268 are writings that speak for themselves, and any characterization of them is denied.

269-71. Paragraphs 269 through 271 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 269 through 271 and therefore denies such allegations.

272-73. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 272 and 273 and therefore denies such allegations.

274-75. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 274 and 275 and therefore denies such allegations. Additionally, the emails referenced in Paragraphs 274 and 275 are writings that speak for themselves, and any characterization of them is denied.

276. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 276 and therefore denies such allegations.

277-78. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 277 and 278 and therefore denies such



allegations. Additionally, the emails referenced in Paragraphs 277 and 278 are writings that speak for themselves, and any characterization of them is denied.

279-80. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 279 and 280 and therefore denies such allegations.

281. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 281 and therefore denies such allegations. Additionally, the letter referenced in Paragraph 281 is a writing that speaks for itself, and any characterization of it is denied.

282-83. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 282 and 283 and therefore denies such allegations.

284. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 284 and therefore denies such allegations. Additionally, the email referenced in Paragraph 284 is a writing that speaks for itself, and any characterization of it is denied.

285-86. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 285 and 286 and therefore denies such allegations.

287-90. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 287 through 290 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 287 through 290 are writings that speak for themselves, and any characterization of them is denied.

291-94. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 291 through 294 and therefore denies such allegations.

295-98. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 295 through 298 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 295 through 298 are writings that speak for themselves, and any characterization of them is denied.

299. Denied that the indictment was returned on December 19, 2016, as the indictment was returned on December 14, 2019. Denied that the indictment charged wire fraud, as the only charge involving wire fraud was conspiracy to commit wire fraud. Landesman admits the other allegations in Paragraph 299.

300. Admitted that the Securities and Exchange Commission filed an action against Mr. Landesman, among others, on December 19, 2016, in the Eastern District of New York under case number 1:16-cv-06848. The complaint is a writing that speaks for itself, and any characterization of that writing is denied.

301-05. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 301 through 305 and therefore denies such allegations.

306. Paragraph 306 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 306 and therefore denies such allegations.

307. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 307 and therefore denies such allegations.

308-12. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 308 through 312 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 308 through 312 are writings that speak for themselves, and any characterization of them is denied.

313-23. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 313 through 323 and therefore denies such allegations.

324-27. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 324 through 327 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 324 through 327 are writings that speak for themselves, and any characterization of them is denied.

328-35. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 328 through 335 and therefore denies such allegations.

336-41. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 336 through 341 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 336 through 341 are writings that speak for themselves, and any characterization of them is denied.

342-51. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 342 through 351 and therefore denies such allegations.

352-53. Paragraphs 352 and 353 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 352 and 353 and therefore denies such allegations.

354-56. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 354 through 356 and therefore denies such allegations. Additionally, the email referenced in Paragraphs 354 through 356 is a writing that speaks for itself, and any characterization of it is denied.

357-58. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 357 through 358 and therefore denies such allegations.

359-72. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 359 through 372 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 359 through 372 are writings that speak for themselves, and any characterization of them is denied.

373. Paragraph 373 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 373 and therefore denies such allegations.

374-80. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 374 through 380 and therefore denies such allegations.

381-82. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 381 through 382 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 381 through 382 are writings that speak for themselves, and any characterization of them is denied.

383-88. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 383 through 388 and therefore denies such allegations.

389. Paragraph 389 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 389 and therefore denies such allegations.

390-408. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 390 through 408 and therefore denies such allegations.

409. Paragraph 409 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 409 and therefore denies such allegations.

410. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 410 and therefore denies such allegations.

411-12. Paragraphs 411 and 412 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information

sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 411 and 412 and therefore denies such allegations.

413-14. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 413 and 414 and therefore denies such allegations.

415. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 415 and therefore denies such allegations. Additionally, the document referenced in Paragraph 415 is a writing that speaks for itself, and any characterization of it is denied.

416-17. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 416 and 417 and therefore denies such allegations.

418-21. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 418 through 421 and therefore denies such allegations. Additionally, the document referenced in Paragraphs 418 through 421 is a writing that speaks for itself, and any characterization of it is denied.

422-23. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 422 and 423 and therefore denies such allegations.

424-25. Paragraphs 424 and 425 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 424 and 425 and therefore denies such allegations.

426-27. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 426 and 427 and therefore denies such allegations.

428-31. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 428 through 431 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 428 through 431 are writings that speak for themselves, and any characterization of them is denied.

432-38. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 432 through 438 and therefore denies such allegations.

439. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 439 and therefore denies such allegations. Additionally, the document referenced in Paragraph 439 is a writing that speaks for itself, and any characterization of it is denied.

440. Paragraph 440 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 440 and therefore denies such allegations.

441-44. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 441 through 444 and therefore denies such allegations.

445. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 445 and therefore denies such allegations.

Additionally, the document referenced in Paragraph 445 is a writing that speaks for itself, and any characterization of it is denied.

446-51. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 446 through 451 and therefore denies such allegations.

452. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 452 and therefore denies such allegations. Additionally, the document referenced in Paragraph 452 is a writing that speaks for itself, and any characterization of it is denied.

453. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 453 and therefore denies such allegations.

454. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 454 and therefore denies such allegations. Additionally, the document referenced in Paragraph 454 is a writing that speaks for itself, and any characterization of it is denied.

455-58. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 455 through 458 and therefore denies such allegations.

459. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 459 and therefore denies such allegations. Additionally, the document referenced in Paragraph 459 is a writing that speaks for itself, and any characterization of it is denied.



460-61. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 460 and 461 and therefore denies such allegations.

462-65. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 462 through 465 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 462 through 465 are writings that speak for themselves, and any characterization of them is denied.

466. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 466 and therefore denies such allegations.

467. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 467 and therefore denies such allegations. Additionally, the documents referenced in Paragraph 467 are writings that speak for themselves, and any characterization of them is denied.

468-77. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 468 through 477 and therefore denies such allegations.

478. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 478 and therefore denies such allegations. Additionally, the document referenced in Paragraph 478 is a writing that speaks for itself, and any characterization of it is denied.

479-86. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 479 through 486 and therefore denies such allegations.

487-89. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 487 through 489 and therefore denies such allegations. Additionally, the emails referenced in Paragraphs 487 through 489 are writings that speak for themselves, and any characterization of them is denied.

490-92. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 490 through 492 and therefore denies such allegations.

493-96. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 493 through 496 and therefore denies such allegations. Additionally, the document referenced in Paragraphs 493 through 496 is a writing that speaks for itself, and any characterization of it is denied.

497-98. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 497 and 498 and therefore denies such allegations.

499. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 499 and therefore denies such allegations. Additionally, the document referenced in Paragraph 499 is a writing that speaks for itself, and any characterization of it is denied.

500. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 500 and therefore denies such allegations.

501-02. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 501 and 502 and therefore denies such

allegations. Additionally, the documents referenced in Paragraphs 501 and 502 are writings that speak for themselves, and any characterization of them is denied.

503. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 503 and therefore denies such allegations.

504-05. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 504 and 505 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 504 and 505 are writings that speak for themselves, and any characterization of them is denied.

506-10. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 506 through 510 and therefore denies such allegations.

511. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 511 and therefore denies such allegations. Additionally, the document referenced in Paragraph 511 is a writing that speaks for itself, and any characterization of it is denied.

512. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 512 and therefore denies such allegations.

513. Paragraph 513 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 513 and therefore denies such allegations.

514. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 514 and therefore denies such allegations.

515. Paragraph 515 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 515 and therefore denies such allegations.

516-19. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 516 through 519 and therefore denies such allegations.

520. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 520 and therefore denies such allegations. Additionally, the document referenced in Paragraph 520 is a writing that speaks for itself, and any characterization of it is denied.

521-23. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 521 through 523 and therefore denies such allegations.

524. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 524 and therefore denies such allegations. Additionally, the document referenced in Paragraph 524 is a writing that speaks for itself, and any characterization of it is denied.

525. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 525 and therefore denies such allegations.

526. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 526 and therefore denies such allegations.

Additionally, the document referenced in Paragraph 526 is a writing that speaks for itself, and any characterization of it is denied.

527. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 527 and therefore denies such allegations.

528. Paragraph 528 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 528 and therefore denies such allegations.

529. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 529 and therefore denies such allegations.

530. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 530 and therefore denies such allegations. Additionally, the document referenced in Paragraph 530 is a writing that speaks for itself, and any characterization of it is denied.

531. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 531 and therefore denies such allegations.

532. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 532 and therefore denies such allegations. Additionally, the document referenced in Paragraph 532 is a writing that speaks for itself, and any characterization of it is denied.

533-34. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 533 and 534 and therefore denies such allegations.

535-36. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 535 and 536 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 535 and 536 are writings that speak for themselves, and any characterization of them is denied.

537-38. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 537 and 538 and therefore denies such allegations.

539. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 539 and therefore denies such allegations. Additionally, the document referenced in Paragraph 539 is a writing that speaks for itself, and any characterization of it is denied.

540-41. Paragraphs 540 and 541 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 540 and 541 and therefore denies such allegations.

542-45. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 542 through 545 and therefore denies such allegations.

546. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 546 and therefore denies such allegations. Additionally, the complaint referenced in Paragraph 546 is a writing that speaks for itself, and any characterization of it is denied.

547-48. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 547 and 548 and therefore denies such allegations.

549. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 549 and therefore denies such allegations. Additionally, the order referenced in Paragraph 549 is a writing that speaks for itself, and any characterization of it is denied.

550-51. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 550 and 551 and therefore denies such allegations.

552. Paragraph 552 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 552 and therefore denies such allegations.

553-65. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 553 through 565 and therefore denies such allegations.

566. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 566 and therefore denies such allegations. Additionally, the document referenced in Paragraph 566 is a writing that speaks for itself, and any characterization of it is denied.

567-69. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 567 through 569 and therefore denies such allegations.

570. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 570 and therefore denies such allegations. Additionally, the document referenced in Paragraph 570 is a writing that speaks for itself, and any characterization of it is denied.

571-72. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 571 and 572 and therefore denies such allegations.

573-75. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 573 through 575 and therefore denies such allegations. Additionally, the document referenced in Paragraphs 573 through 575 is a writing that speaks for itself, and any characterization of it is denied.

576-85. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 576 through 585 and therefore denies such allegations.

586-87. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 586 and 587 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 586 and 587 are writings that speak for themselves, and any characterization of them is denied.



588-92. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 588 through 592 and therefore denies such allegations.

593-96. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 593 through 596 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 593 through 596 are writings that speak for themselves, and any characterization of them is denied.

597-607. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 597 through 607 and therefore denies such allegations.

608. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 608 and therefore denies such allegations. Additionally, the email referenced in Paragraph 608 is a writing that speaks for itself, and any characterization of it is denied.

609. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 609 and therefore denies such allegations.

610. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 610 and therefore denies such allegations. Additionally, the email referenced in Paragraph 610 is a writing that speaks for itself, and any characterization of it is denied.

611-14. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 611 through 614 and therefore denies such allegations.

615. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 615 and therefore denies such allegations. Additionally, the document referenced in Paragraph 615 is a writing that speaks for itself, and any characterization of it is denied.

616-18. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 616 through 618 and therefore denies such allegations.

619. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 619 and therefore denies such allegations. Additionally, the email referenced in Paragraph 619 is a writing that speaks for itself, and any characterization of it is denied.

620-26. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 620 through 626 and therefore denies such allegations.

627-30. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 627 through 630 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 627 through 630 are writings that speak for themselves, and any characterization of them is denied.

631-38. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 631 through 638 and therefore denies such allegations.

639. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 639 and therefore denies such allegations.

Additionally, the email referenced in Paragraph 639 is a writing that speaks for itself, and any characterization of it is denied.

640-44. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 640 through 644 and therefore denies such allegations.

645. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 645 and therefore denies such allegations. Additionally, the document referenced in Paragraph 645 is a writing that speaks for itself, and any characterization of it is denied.

646. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 646 and therefore denies such allegations.

647-49. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 647 through 649 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 647 through 649 are writings that speak for themselves, and any characterization of them is denied.

650-52. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 650 through 652 and therefore denies such allegations.

653. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 653 and therefore denies such allegations. Additionally, the document referenced in Paragraph 653 is a writing that speaks for itself, and any characterization of it is denied.

654-56. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 654 through 656 and therefore denies such allegations.

657. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 657 and therefore denies such allegations. Additionally, the document referenced in Paragraph 657 is a writing that speaks for itself, and any characterization of it is denied.

658-60. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 658 through 660 and therefore denies such allegations.

661-63. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 661 through 663 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 661 through 663 are writings that speak for themselves, and any characterization of them is denied.

664-73. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 664 through 673 and therefore denies such allegations.

674. Paragraph 674 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 674 and therefore denies such allegations.

675-76. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 675 through 676 and therefore denies such allegations.

677-83. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 677 through 683 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 677 through 683 are writings that speak for themselves, and any characterization of them is denied.

684-90. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 684 through 690 and therefore denies such allegations.

691-94. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 691 through 694 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 691 through 694 are writings that speak for themselves, and any characterization of them is denied.

695. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 695 and therefore denies such allegations.

696. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 696 and therefore denies such allegations. Additionally, the document referenced in Paragraph 696 is a writing that speaks for itself, and any characterization of it is denied.

697-702. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 697 through 702 and therefore denies such allegations.

703. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 703 and therefore denies such allegations. Additionally, the email referenced in Paragraph 703 is a writing that speaks for itself, and any characterization of it is denied.

704-06. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 704 through 706 and therefore denies such allegations.

707-12. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 707 through 712 and therefore denies such allegations. Additionally, the document referenced in Paragraphs 707 through 712 is a writing that speaks for itself, and any characterization of it is denied.

713-15. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 713 through 715 and therefore denies such allegations.

716-17. Paragraphs 716 and 717 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 716 and 717 and therefore denies such allegations.

718. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 718 and therefore denies such allegations. Additionally, the document referenced in Paragraph 718 is a writing that speaks for itself, and any characterization of it is denied.

719-25. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 719 through 725 and therefore denies such allegations.

726. Paragraph 726 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 726 and therefore denies such allegations.

727-41. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 727 through 741 and therefore denies such allegations.

742. Paragraph 742 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 742 and therefore denies such allegations.

743-45. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 743 through 745 and therefore denies such allegations.

746-48. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 746 through 748 and therefore denies such allegations. Additionally, the documents referenced in Paragraphs 746 through 748 are writings that speak for themselves, and any characterization of them is denied.

749-50. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 749 through 750 and therefore denies such allegations.

751. Paragraph 751 contains legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 751 and therefore denies such allegations.

752. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 752 and therefore denies such allegations. Additionally, the document referenced in Paragraph 752 is a writing that speaks for itself, and any characterization of it is denied.

753. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraph 753 and therefore denies such allegations.

754-57. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 754 through 757 and therefore denies such allegations. Additionally, the document referenced in Paragraph 754 through 757 is a writing that speaks for itself, and any characterization of it is denied.

758-62. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 758 through 762 and therefore denies such allegations.

**First Count: Breach of Fiduciary Duty  
(Duty of Care and Good Faith) Against the Platinum Defendants**

763. Landesman repeats and re-alleges its answers to Paragraphs 1-762 as if fully set forth here.



764-73. Paragraphs 764 through 773 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 764 through 773 and therefore denies such allegations.

**Second Count: Breach of Fiduciary Duty  
(Duty of Loyalty/Self-Dealing) Against the Platinum Defendants**

774. Landesman repeats and re-alleges its answers to Paragraphs 1-773 as if fully set forth here.

775-81. Paragraphs 775 through 781 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 775 through 781 and therefore denies such allegations.

**Third Count: Aiding and Abetting Breach of Fiduciary Duties  
against the Individual Platinum Defendants**

782. Landesman repeats and re-alleges its answers to Paragraphs 1-781 as if fully set forth here.

783-91. Paragraphs 783 through 791 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 783 through 791 and therefore denies such allegations.

**Fourth Count: Fraud against the Platinum Defendants**

792. Landesman repeats and re-alleges its answers to Paragraphs 1-791 as if fully set forth here.

793-813. Paragraphs 793 through 813 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information

sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 793 through 813 and therefore denies such allegations.

**Fifth Count: Constructive Fraud against the Platinum Defendants**

814. Landesman repeats and re-alleges its answers to Paragraphs 1-813 as if fully set forth here.

815-37. Paragraphs 815 through 837 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 815 through 837 and therefore denies such allegations.

**Sixth Count: Aiding and Abetting Fraud against the Individual Platinum Defendants**

838. Landesman repeats and re-alleges its answers to Paragraphs 1-837 as if fully set forth here.

839-45. Paragraphs 839 through 845 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 839 through 845 and therefore denies such allegations.

**Seventh Count: Aiding and Abetting Breach of  
Fiduciary Duties against the Beechwood Defendants**

846. Landesman repeats and re-alleges its answers to Paragraphs 1-846 as if fully set forth here.

847-57. Paragraphs 847 through 857 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Eighth Count: Aiding and Abetting Fraud  
against the Beechwood Defendants**

858. Landesman repeats and re-alleges its answers to Paragraphs 1-857 as if fully set forth here.

859-68. Paragraphs 859 through 868 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Ninth Count: Aiding and Abetting Breach of Fiduciary Duties  
against the BEOF Funds and Preferred Investors of the BEOF Funds**

869. Landesman repeats and re-alleges its answers to Paragraphs 1-868 as if fully set forth here.

870-85. Paragraphs 870 through 885 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Tenth Count: Aiding and Abetting Fraud  
against the BEOF Funds and Preferred Investors of the BEOF Funds**

886. Landesman repeats and re-alleges its answers to Paragraphs 1-885 as if fully set forth here.

887-99. Paragraphs 887 through 899 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Eleventh Count: Aiding and Abetting Breach of Fiduciary Duties  
against Michael Katz**

900. Landesman repeats and re-alleges its answers to Paragraphs 1-899 as if fully set forth here.

901-10. Paragraphs 901 through 910 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Twelfth Count: Aiding and Abetting Breach of Fiduciary Duties  
against Kevin Cassidy and Michael Nordlicht**

911. Landesman repeats and re-alleges its answers to Paragraphs 1-910 as if fully set forth here.

912-25. Paragraphs 912 through 925 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Thirteenth Count: Aiding and Abetting Breach of Fiduciary Duties  
against Seth Gerszberg**

926. Landesman repeats and re-alleges its answers to Paragraphs 1-925 as if fully set forth here.

927-37. Paragraphs 927 through 937 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Fourteenth Count: In the Alternative, Unjust Enrichment  
against the Beechwood Defendants, Kevin Cassidy, and Seth Gerszberg**

938. Landesman repeats and re-alleges its answers to Paragraphs 1-937 as if fully set forth here.

939-47. Paragraphs 939 through 947 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Fifteenth Count: In the Alternative, Unjust Enrichment  
against the BEOF Funds and the Preferred Investors of the BEOF Funds**

948. Landesman repeats and re-alleges its answers to Paragraphs 1-947 as if fully set forth here.

949-59. Paragraphs 949 through 959 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Sixteenth Count: Civil Conspiracy against the Platinum Defendants and the Beechwood Defendants**

960. Landesman repeats and re-alleges its answers to Paragraphs 1-959 as if fully set forth here.

961-67. Paragraphs 961 through 967 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 961 through 967 and therefore denies such allegations.

**Seventeenth Count: Violation of Civil RICO against the Platinum Defendants and the Beechwood Defendants**

968. Landesman repeats and re-alleges its answers to Paragraphs 1-967 as if fully set forth here.

969-85. This claim was dismissed by the Court on June 21, 2019 (18-6658, Dkt. 488), and therefore no answer is required.

**Eighteenth Count: (For Relief Only) Alter Ego against the Beechwood Entities in respect of Counts One, Two, Four and Five**

986. Landesman repeats and re-alleges its answers to Paragraphs 1-985 as if fully set forth here.

987-1000. Paragraphs 978 through 1000 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Nineteenth Count: (For Relief Only) Alter Ego against the BEOF Funds in respect of Counts One, Two, Four and Five**

1001. Landesman repeats and re-alleges its answers to Paragraphs 1-1000 as if fully set forth here.

1002-12. Paragraphs 1002 through 1012 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**Twentieth Count: Declaratory Judgment**  
**The Nordlicht Side Letter is Void and Unenforceable as Contrary to Public Policy**

1013. Landesman repeats and re-alleges its answers to Paragraphs 1-1012 as if fully set forth here.

1014-17. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 1014 through 1017 and therefore denies such allegations.

1018-20. Paragraphs 1018 through 1020 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 1018 through 1020 and therefore denies such allegations.

**Twenty-First Count: Declaratory Judgment that the**  
**Master Guaranty is Void and Unenforceable as Contrary to Public Policy**

1021. Landesman repeats and re-alleges its answers to Paragraphs 1-1021 as if fully set forth here.

1022-24. Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 1022 through 1024 and therefore denies such allegations.

1025-28. Paragraphs 1025 through 1028 contain legal conclusions to which no response is required. To the extent a response is required, Landesman lacks knowledge or information sufficient to form a belief as to the veracity of the allegations set forth in Paragraphs 1025 through 1028 and therefore denies such allegations.

**Twenty-Second Count: (For Relief Only) Alter Ego against the Huberfeld Family Foundation in respect of Counts One, Two, Four and Five**

1029. Landesman repeats and re-alleges its answers to Paragraphs 1-1028 as if fully set forth here.

1030-41. Paragraphs 1030 through 1041 relate to a claim that is not asserted against Landesman, and therefore no response is required.

**ANSWER TO THE PRAYER FOR RELIEF**

Landesman denies that Plaintiffs are entitled to any damages or relief sought in the WHEREFORE clause of the Second Amended Complaint or to any other relief.

Landesman denies each and every allegation in the Second Amended Complaint not specifically admitted herein.

**AFFIRMATIVE DEFENSES**

In further answer to the Second Amended Complaint, and as separate and distinct affirmative and other defenses, Landesman asserts the following defenses. In asserting these defenses, Landesman does not assume the burden of proof as to matters that, pursuant to law, are Plaintiffs' burden to prove.

**First Affirmative Defense**

The Second Amended Complaint as a whole, and each purported cause of action alleged therein, fails to state facts sufficient to constitute a cause of action against Landesman upon which relief can be granted.

**Second Affirmative Defense**

Plaintiffs' claims are barred, in whole or in part, by the doctrines of unclean hands, estoppel, assumption of the risk, contributory or comparative negligence, waiver, and/or laches.

**Third Affirmative Defense**

At all times, Landesman performed its obligations under any duly executed agreements in good faith and in compliance with federal and state law.

**Reservation Of Additional Defenses**

Landesman currently has insufficient information upon which to form a belief as to whether it may have additional, as yet unstated, defenses beyond those listed above. Landesman, therefore, reserves the right to assert additional defenses as appropriate.

WHEREFORE, Landesman prays for judgment as follows:

1. Plaintiffs take nothing on their Second Amended Complaint, that the Second Amended Complaint be dismissed with prejudice, and that judgment be entered for Landesman;
2. That Defendants be awarded their costs of suit; and
3. That the Court grant such further relief as the Court may deem just and proper.

Dated: July 12, 2019  
Newark, New Jersey

By: /s/ Eric R. Breslin  
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