



5. Defendant denies the allegations contained in Paragraph 5 of the Second Amended Complaint.

6. Defendant denies the allegations contained in Paragraph 6 of the Second Amended Complaint.

7. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Second Amended Complaint.

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Second Amended Complaint.

9. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Second Amended Complaint.

10. Defendant denies the allegations contained in Paragraph 10 of the Second Amended Complaint.

11. Defendant denies the allegations contained in Paragraph 11 of the Second Amended Complaint.

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Second Amended Complaint.

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Second Amended Complaint.

14. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the Second Amended Complaint.

15. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15 of the Second Amended Complaint.

16. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 of the Second Amended Complaint.

17. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 of the Second Amended Complaint.

18. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 of the Second Amended Complaint.

19. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Second Amended Complaint.

20. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the Second Amended Complaint.

21. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 of the Second Amended Complaint.

22. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 of the Second Amended Complaint.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the Second Amended Complaint.

24. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 of the Second Amended Complaint.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 of the Second Amended Complaint.

26. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Second Amended Complaint.

27. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 of the Second Amended Complaint.

28. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 of the Second Amended Complaint.

29. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 of the Second Amended Complaint.

30. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 of the Second Amended Complaint.

31. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 of the Second Amended Complaint.

32. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 of the Second Amended Complaint.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 33 of the Second Amended Complaint.

34. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34 of the Second Amended Complaint.

35. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35 of the Second Amended Complaint.

36. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 of the Second Amended Complaint.

**PARTIES RELEVANT TO THE JOL'S CLAIMS**

37. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Second Amended Complaint.

38. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38 of the Second Amended Complaint.

39. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 of the Second Amended Complaint.

40. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 of the Second Amended Complaint.

41. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 of the Second Amended Complaint.

42. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 42 of the Second Amended Complaint.

43. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 43 of the Second Amended Complaint.

44. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 of the Second Amended Complaint.

45. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45 of the Second Amended Complaint.

46. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 46 of the Second Amended Complaint.

47. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 47 of the Second Amended Complaint.

48. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48 of the Second Amended Complaint.

49. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 49 of the Second Amended Complaint.

50. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 of the Second Amended Complaint.

51. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 51 of the Second Amended Complaint.

52. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 52 of the Second Amended Complaint.

53. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 53 of the Second Amended Complaint.

54. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54 of the Second Amended Complaint.

55. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 55 of the Second Amended Complaint.

56. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 56 of the Second Amended Complaint.

57. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 57 of the Second Amended Complaint.

58. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 58 of the Second Amended Complaint.

59. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 59 of the Second Amended Complaint.

60. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 60 of the Second Amended Complaint.

61. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 61 of the Second Amended Complaint.

62. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 62 of the Second Amended Complaint.

63. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 63 of the Second Amended Complaint.

64. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 64 of the Second Amended Complaint.

65. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 65 of the Second Amended Complaint.

66. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 66 of the Second Amended Complaint.

67. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 67 of the Second Amended Complaint.

68. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 68 of the Second Amended Complaint.

69. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 69 of the Second Amended Complaint.

70. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 70 of the Second Amended Complaint.

71. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 71 of the Second Amended Complaint.

72. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 72 of the Second Amended Complaint.

73. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 73 of the Second Amended Complaint.

74. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 74 of the Second Amended Complaint.

75. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 75 of the Second Amended Complaint.

76. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 76 of the Second Amended Complaint.

77. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 77 of the Second Amended Complaint.

78. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 78 of the Second Amended Complaint.

79. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 79 of the Second Amended Complaint.

80. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 80 of the Second Amended Complaint.

81. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 81 of the Second Amended Complaint.



82. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 82 of the Second Amended Complaint.

83. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 83 of the Second Amended Complaint.

84. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 84 of the Second Amended Complaint.

85. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 85 of the Second Amended Complaint.

86. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 86 of the Second Amended Complaint.

87. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 87 of the Second Amended Complaint.

88. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 88 of the Second Amended Complaint.

89. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 89 of the Second Amended Complaint.

90. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 90 of the Second Amended Complaint.

91. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 91 of the Second Amended Complaint.

92. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 92 of the Second Amended Complaint.

93. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 93 of the Second Amended Complaint.

94. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 94 of the Second Amended Complaint.

95. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 95 of the Second Amended Complaint.

96. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 96 of the Second Amended Complaint.

97. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 97 of the Second Amended Complaint.

98. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 98 of the Second Amended Complaint.

99. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 99 of the Second Amended Complaint.

100. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 100 of the Second Amended Complaint.

101. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 101 of the Second Amended Complaint.

102. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 102 of the Second Amended Complaint.

103. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 103 of the Second Amended Complaint.

104. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 104 of the Second Amended Complaint.

105. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 105 of the Second Amended Complaint.

106. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 106 of the Second Amended Complaint.

107. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 107 of the Second Amended Complaint.

108. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 108 of the Second Amended Complaint.

109. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 109 of the Second Amended Complaint.

110. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 110 of the Second Amended Complaint.

111. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 111 of the Second Amended Complaint.

112. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 112 of the Second Amended Complaint.

113. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 113 of the Second Amended Complaint.

114. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 114 of the Second Amended Complaint.

115. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 115 of the Second Amended Complaint.

116. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 116 of the Second Amended Complaint.

117. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 117 of the Second Amended Complaint.

118. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 118 of the Second Amended Complaint.

119. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 119 of the Second Amended Complaint.

120. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 120 of the Second Amended Complaint.

121. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 121 of the Second Amended Complaint.

122. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 122 of the Second Amended Complaint.

123. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 123 of the Second Amended Complaint.

124. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 124 of the Second Amended Complaint.

125. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 125 of the Second Amended Complaint.

126. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 126 of the Second Amended Complaint.

127. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 127 of the Second Amended Complaint.

128. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 128 of the Second Amended Complaint.

129. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 129 of the Second Amended Complaint.

130. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 130 of the Second Amended Complaint.

131. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 131 of the Second Amended Complaint.

132. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 132 of the Second Amended Complaint.

133. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 133 of the Second Amended Complaint.

134. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 134 of the Second Amended Complaint.

135. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 135 of the Second Amended Complaint.

136. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 136 of the Second Amended Complaint.

137. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 137 of the Second Amended Complaint.

138. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 138 of the Second Amended Complaint.

139. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 139 of the Second Amended Complaint.

140. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 140 of the Second Amended Complaint.

141. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 141 of the Second Amended Complaint.

142. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 142 of the Second Amended Complaint.

143. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 143 of the Second Amended Complaint.

144. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 144 of the Second Amended Complaint.

145. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 145 of the Second Amended Complaint.

146. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 146 of the Second Amended Complaint.

147. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 147 of the Second Amended Complaint.

148. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 148 of the Second Amended Complaint.

149. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 149 of the Second Amended Complaint.

150. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 150 of the Second Amended Complaint.

151. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 151 of the Second Amended Complaint.

152. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 152 of the Second Amended Complaint.

153. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 153 of the Second Amended Complaint.

154. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 154 of the Second Amended Complaint.

155. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 155 of the Second Amended Complaint.

156. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 156 of the Second Amended Complaint.

157. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 157 of the Second Amended Complaint.

158. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 158 of the Second Amended Complaint.

159. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 159 of the Second Amended Complaint.

160. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 160 of the Second Amended Complaint.

161. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 161 of the Second Amended Complaint.

162. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 162 of the Second Amended Complaint.

163. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 163 of the Second Amended Complaint.

164. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 164 of the Second Amended Complaint.

165. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 165 of the Second Amended Complaint.

166. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 166 of the Second Amended Complaint.

167. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 167 of the Second Amended Complaint.

168. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 168 of the Second Amended Complaint.

169. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 169 of the Second Amended Complaint.



170. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 170 of the Second Amended Complaint.

171. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 171 of the Second Amended Complaint.

172. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 172 of the Second Amended Complaint.

173. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 173 of the Second Amended Complaint.

174. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 174 of the Second Amended Complaint.

175. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 175 of the Second Amended Complaint.

176. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 176 of the Second Amended Complaint.

177. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 177 of the Second Amended Complaint.

178. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 178 of the Second Amended Complaint.

179. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 179 of the Second Amended Complaint.

180. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 180 of the Second Amended Complaint.

181. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 181 of the Second Amended Complaint.

182. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 182 of the Second Amended Complaint.

183. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 183 of the Second Amended Complaint.

184. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 184 of the Second Amended Complaint.

185. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 185 of the Second Amended Complaint.

186. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 186 of the Second Amended Complaint.

187. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 187 of the Second Amended Complaint.

188. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 188 of the Second Amended Complaint.

189. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 189 of the Second Amended Complaint.

190. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 190 of the Second Amended Complaint.

191. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 191 of the Second Amended Complaint.

192. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 192 of the Second Amended Complaint.

193. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 193 of the Second Amended Complaint.

194. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 194 of the Second Amended Complaint.

195. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 195 of the Second Amended Complaint.

196. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 196 of the Second Amended Complaint.

197. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 197 of the Second Amended Complaint.

198. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 198 of the Second Amended Complaint.

199. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 199 of the Second Amended Complaint.

200. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 200 of the Second Amended Complaint.

201. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 201 of the Second Amended Complaint.

202. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 202 of the Second Amended Complaint.

203. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 203 of the Second Amended Complaint.

204. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 204 of the Second Amended Complaint.

205. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 205 of the Second Amended Complaint.

206. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 206 of the Second Amended Complaint.

207. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 207 of the Second Amended Complaint.

208. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 208 of the Second Amended Complaint.

209. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 209 of the Second Amended Complaint.

210. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 210 of the Second Amended Complaint.

211. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 211 of the Second Amended Complaint.

212. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 212 of the Second Amended Complaint.

213. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 213 of the Second Amended Complaint.

214. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 214 of the Second Amended Complaint.

215. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 215 of the Second Amended Complaint.

216. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 216 of the Second Amended Complaint.

217. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 217 of the Second Amended Complaint.

218. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 218 of the Second Amended Complaint.

219. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 219 of the Second Amended Complaint.

220. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 220 of the Second Amended Complaint.

221. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 221 of the Second Amended Complaint.

222. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 222 of the Second Amended Complaint.

#### **JURISDICTION AND VENUE**

223. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 223 of the Second Amended Complaint.

224. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 224 of the Second Amended Complaint.

225. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 225 of the Second Amended Complaint.

**FACTUAL BACKGROUND**

**A. The PPVA Investment Structure**

226. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 226 of the Second Amended Complaint.

227. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 227 of the Second Amended Complaint.

228. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 228 of the Second Amended Complaint.

229. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 229 of the Second Amended Complaint.

230. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 230 of the Second Amended Complaint.

231. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 231 of the Second Amended Complaint.

232. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 232 of the Second Amended Complaint.

233. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 233 of the Second Amended Complaint.

234. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 234 of the Second Amended Complaint.

235. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 235 of the Second Amended Complaint.

236. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 236 of the Second Amended Complaint.

**B. Platinum Management as General Partner**

237. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 237 of the Second Amended Complaint.

238. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 238 of the Second Amended Complaint.

239. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 239 of the Second Amended Complaint.

240. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 240 of the Second Amended Complaint.

241. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 241 of the Second Amended Complaint.

242. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 242 of the Second Amended Complaint.

243. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 243 of the Second Amended Complaint.

244. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 244 of the Second Amended Complaint.

245. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 245 of the Second Amended Complaint.

246. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 246 of the Second Amended Complaint.

247. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 247 of the Second Amended Complaint.

248. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 248 of the Second Amended Complaint.

249. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 249 of the Second Amended Complaint.

250. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 250 of the Second Amended Complaint.

**C. Platinum Defendants' Valuation and Risk Assessment Process and Representations Concerning Investments and NAV**

251. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 251 of the Second Amended Complaint.

252. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 252 of the Second Amended Complaint.

253. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 253 of the Second Amended Complaint.

254. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 254 of the Second Amended Complaint.

255. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 255 of the Second Amended Complaint.

256. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 256 of the Second Amended Complaint.



257. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 257 of the Second Amended Complaint.

258. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 258 of the Second Amended Complaint.

259. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 259 of the Second Amended Complaint.

260. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 260 of the Second Amended Complaint.

261. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 261 of the Second Amended Complaint.

262. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 262 of the Second Amended Complaint.

263. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 263 of the Second Amended Complaint.

264. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 264 of the Second Amended Complaint.

265. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 265 of the Second Amended Complaint.

266. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 266 of the Second Amended Complaint.

267. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 267 of the Second Amended Complaint.

268. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 268 of the Second Amended Complaint.

269. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 269 of the Second Amended Complaint.

270. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 270 of the Second Amended Complaint.

271. Defendant denies the allegations contained in Paragraph 271 of the Second Amended Complaint.

**D. The Collapse and Liquidation of PPVA**

272. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 272 of the Second Amended Complaint.

273. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 273 of the Second Amended Complaint.

274. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 274 of the Second Amended Complaint.

275. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 275 of the Second Amended Complaint.

276. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 276 of the Second Amended Complaint.

277. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 277 of the Second Amended Complaint.

278. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 278 of the Second Amended Complaint.

279. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 279 of the Second Amended Complaint.

280. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 280 of the Second Amended Complaint.

281. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 281 of the Second Amended Complaint.

282. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 282 of the Second Amended Complaint.

283. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 283 of the Second Amended Complaint.

284. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 284 of the Second Amended Complaint.

285. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 285 of the Second Amended Complaint.

286. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 286 of the Second Amended Complaint.

287. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 287 of the Second Amended Complaint.

288. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 288 of the Second Amended Complaint.

289. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 289 of the Second Amended Complaint.

290. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 290 of the Second Amended Complaint.

291. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 291 of the Second Amended Complaint.

292. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 292 of the Second Amended Complaint.

293. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 293 of the Second Amended Complaint.

294. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 294 of the Second Amended Complaint.

295. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 295 of the Second Amended Complaint.

296. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 296 of the Second Amended Complaint.

297. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 297 of the Second Amended Complaint.

298. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 298 of the Second Amended Complaint.

299. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 299 of the Second Amended Complaint.

300. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 300 of the Second Amended Complaint.

301. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 301 of the Second Amended Complaint.

302. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 302 of the Second Amended Complaint.

303. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 303 of the Second Amended Complaint.

304. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 304 of the Second Amended Complaint.

305. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 305 of the Second Amended Complaint.

**E. Concentration in Illiquid Investments**

306. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 306 of the Second Amended Complaint.

307. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 307 of the Second Amended Complaint.

308. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 308 of the Second Amended Complaint.

309. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 309 of the Second Amended Complaint.

310. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 310 of the Second Amended Complaint.

311. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 311 of the Second Amended Complaint.

312. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 312 of the Second Amended Complaint.

**F. Misrepresentation of PPVA's NAV in the Wake of the Black Elk Explosion**

313. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 313 of the Second Amended Complaint.

314. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 314 of the Second Amended Complaint.

315. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 315 of the Second Amended Complaint.

316. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 316 of the Second Amended Complaint.

317. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 317 of the Second Amended Complaint.

318. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 318 of the Second Amended Complaint.

319. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 319 of the Second Amended Complaint.

320. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 320 of the Second Amended Complaint.

321. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 321 of the Second Amended Complaint.

322. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 322 of the Second Amended Complaint.

323. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 323 of the Second Amended Complaint.

**G. Misrepresentation of Value for Golden Gate Oil**

324. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 324 of the Second Amended Complaint.

325. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 325 of the Second Amended Complaint.

326. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 326 of the Second Amended Complaint.

327. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 327 of the Second Amended Complaint.

328. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 328 of the Second Amended Complaint.

329. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 329 of the Second Amended Complaint.

330. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 330 of the Second Amended Complaint.

331. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 331 of the Second Amended Complaint.

332. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 332 of the Second Amended Complaint.

333. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 333 of the Second Amended Complaint.

334. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 334 of the Second Amended Complaint.

335. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 335 of the Second Amended Complaint.

336. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 336 of the Second Amended Complaint.

337. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 337 of the Second Amended Complaint.

338. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 338 of the Second Amended Complaint.

339. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 339 of the Second Amended Complaint.

340. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 340 of the Second Amended Complaint.

341. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 341 of the Second Amended Complaint.

342. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 342 of the Second Amended Complaint.

343. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 343 of the Second Amended Complaint.

**H. Creation of Beechwood**

344. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 344 of the Second Amended Complaint.



345. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 345 of the Second Amended Complaint.

346. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 346 of the Second Amended Complaint.

347. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 347 of the Second Amended Complaint.

348. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 348 of the Second Amended Complaint.

349. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 349 of the Second Amended Complaint.

350. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 350 of the Second Amended Complaint.

351. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 351 of the Second Amended Complaint.

352. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 352 of the Second Amended Complaint.

353. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 353 of the Second Amended Complaint.

354. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 354 of the Second Amended Complaint.

355. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 355 of the Second Amended Complaint.

356. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 356 of the Second Amended Complaint.

357. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 357 of the Second Amended Complaint.

358. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 348 of the Second Amended Complaint.

359. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 359 of the Second Amended Complaint.

360. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 360 of the Second Amended Complaint.

361. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 361 of the Second Amended Complaint.

362. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 362 of the Second Amended Complaint.

363. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 363 of the Second Amended Complaint.

364. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 364 of the Second Amended Complaint.

365. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 365 of the Second Amended Complaint.

366. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 366 of the Second Amended Complaint.

367. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 367 of the Second Amended Complaint.

368. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 368 of the Second Amended Complaint.

369. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 369 of the Second Amended Complaint.

370. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 370 of the Second Amended Complaint.

371. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 371 of the Second Amended Complaint.

**I. Structure and Ownership of Beechwood**

372. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 372 of the Second Amended Complaint.

373. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 373 of the Second Amended Complaint.

374. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 374 of the Second Amended Complaint.

375. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 375 of the Second Amended Complaint.

376. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 376 of the Second Amended Complaint.

377. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 377 of the Second Amended Complaint.

378. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 378 of the Second Amended Complaint.

379. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 379 of the Second Amended Complaint.

380. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 380 of the Second Amended Complaint.

381. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 381 of the Second Amended Complaint.

382. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 382 of the Second Amended Complaint.

383. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 383 of the Second Amended Complaint.

384. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 384 of the Second Amended Complaint.

385. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 385 of the Second Amended Complaint.

386. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 386 of the Second Amended Complaint.

387. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 387 of the Second Amended Complaint.

388. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 388 of the Second Amended Complaint.

389. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 389 of the Second Amended Complaint.

390. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 390 of the Second Amended Complaint.

391. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 391 of the Second Amended Complaint.

392. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 392 of the Second Amended Complaint.

393. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 393 of the Second Amended Complaint.

394. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 394 of the Second Amended Complaint.

395. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 395 of the Second Amended Complaint.

396. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 396 of the Second Amended Complaint.

397. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 397 of the Second Amended Complaint.

398. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 398 of the Second Amended Complaint.

399. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 399 of the Second Amended Complaint.

**J. Beechwood and the First Scheme**

400. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 400 of the Second Amended Complaint.

401. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 401 of the Second Amended Complaint.

402. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 402 of the Second Amended Complaint.

403. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 403 of the Second Amended Complaint.

404. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 404 of the Second Amended Complaint.

405. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 405 of the Second Amended Complaint.

406. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 406 of the Second Amended Complaint.

407. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 407 of the Second Amended Complaint.

408. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 408 of the Second Amended Complaint.

409. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 409 of the Second Amended Complaint.

410. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 410 of the Second Amended Complaint.

411. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 411 of the Second Amended Complaint.

412. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 412 of the Second Amended Complaint.

**1. Golden Gate Oil**

413. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 413 of the Second Amended Complaint.

414. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 414 of the Second Amended Complaint.

415. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 415 of the Second Amended Complaint.

416. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 416 of the Second Amended Complaint.

417. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 417 of the Second Amended Complaint.

418. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 418 of the Second Amended Complaint.

419. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 419 of the Second Amended Complaint.

420. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 420 of the Second Amended Complaint.

421. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 421 of the Second Amended Complaint.

422. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 422 of the Second Amended Complaint.

423. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 423 of the Second Amended Complaint.

**2. PEDEVCO**

424. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 424 of the Second Amended Complaint.

425. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 425 of the Second Amended Complaint.

426. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 426 of the Second Amended Complaint.

427. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 427 of the Second Amended Complaint.

428. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 428 of the Second Amended Complaint.

429. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 429 of the Second Amended Complaint.

430. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 430 of the Second Amended Complaint.

431. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 431 of the Second Amended Complaint.

432. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 432 of the Second Amended Complaint.



433. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 433 of the Second Amended Complaint.

434. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 434 of the Second Amended Complaint.

435. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 435 of the Second Amended Complaint.

**3. Implant Sciences**

436. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 436 of the Second Amended Complaint.

437. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 437 of the Second Amended Complaint.

438. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 438 of the Second Amended Complaint.

439. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 439 of the Second Amended Complaint.

**K. Black Elk Scheme**

440. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 440 of the Second Amended Complaint.

441. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 441 of the Second Amended Complaint.

442. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 442 of the Second Amended Complaint.

443. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 443 of the Second Amended Complaint.

444. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 444 of the Second Amended Complaint.

445. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 445 of the Second Amended Complaint.

446. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 446 of the Second Amended Complaint.

447. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 447 of the Second Amended Complaint.

448. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 448 of the Second Amended Complaint.

449. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 449 of the Second Amended Complaint.

450. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 450 of the Second Amended Complaint.

451. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 451 of the Second Amended Complaint.

452. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 452 of the Second Amended Complaint.

453. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 453 of the Second Amended Complaint.

454. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 454 of the Second Amended Complaint.

455. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 455 of the Second Amended Complaint.

456. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 456 of the Second Amended Complaint.

457. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 457 of the Second Amended Complaint.

458. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 458 of the Second Amended Complaint.

459. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 459 of the Second Amended Complaint.

460. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 460 of the Second Amended Complaint.

461. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 461 of the Second Amended Complaint.

462. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 462 of the Second Amended Complaint.

463. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 463 of the Second Amended Complaint.

464. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 464 of the Second Amended Complaint.

465. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 465 of the Second Amended Complaint.

466. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 466 of the Second Amended Complaint.

467. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 467 of the Second Amended Complaint.

468. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 468 of the Second Amended Complaint.

469. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 469 of the Second Amended Complaint.

470. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 470 of the Second Amended Complaint.

471. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 471 of the Second Amended Complaint.

472. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 472 of the Second Amended Complaint.

473. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 473 of the Second Amended Complaint.

474. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 474 of the Second Amended Complaint.

475. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 475 of the Second Amended Complaint.

476. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 476 of the Second Amended Complaint.

477. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 477 of the Second Amended Complaint.

478. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 478 of the Second Amended Complaint.

479. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 479 of the Second Amended Complaint.

480. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 480 of the Second Amended Complaint.

481. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 481 of the Second Amended Complaint.

482. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 482 of the Second Amended Complaint.

483. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 483 of the Second Amended Complaint.

484. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 484 of the Second Amended Complaint.

485. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 485 of the Second Amended Complaint.

486. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 486 of the Second Amended Complaint.

487. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 487 of the Second Amended Complaint.

488. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 488 of the Second Amended Complaint.

489. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 489 of the Second Amended Complaint.

490. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 490 of the Second Amended Complaint.

491. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 491 of the Second Amended Complaint.

492. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 492 of the Second Amended Complaint.

493. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 493 of the Second Amended Complaint.

494. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 494 of the Second Amended Complaint.

495. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 495 of the Second Amended Complaint.

496. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 496 of the Second Amended Complaint.

497. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 497 of the Second Amended Complaint.

498. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 498 of the Second Amended Complaint.

499. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 499 of the Second Amended Complaint.

500. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 500 of the Second Amended Complaint.

501. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 501 of the Second Amended Complaint.

502. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 502 of the Second Amended Complaint.

503. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 503 of the Second Amended Complaint.

504. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 504 of the Second Amended Complaint.

505. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 505 of the Second Amended Complaint.

506. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 506 of the Second Amended Complaint.

507. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 507 of the Second Amended Complaint.

508. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 508 of the Second Amended Complaint.

509. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 509 of the Second Amended Complaint.

510. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 510 of the Second Amended Complaint.

511. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 511 of the Second Amended Complaint.

512. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 512 of the Second Amended Complaint.

513. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 513 of the Second Amended Complaint.

514. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 514 of the Second Amended Complaint.

515. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 515 of the Second Amended Complaint.

**L. Creation of Montsant and Repurchase of Black Elk Bonds**

516. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 516 of the Second Amended Complaint.

517. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 517 of the Second Amended Complaint.

518. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 518 of the Second Amended Complaint.

519. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 519 of the Second Amended Complaint.



520. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 520 of the Second Amended Complaint.

521. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 521 of the Second Amended Complaint.

522. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 522 of the Second Amended Complaint.

523. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 523 of the Second Amended Complaint.

524. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 524 of the Second Amended Complaint.

525. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 525 of the Second Amended Complaint.

526. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 526 of the Second Amended Complaint.

527. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 527 of the Second Amended Complaint.

528. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 528 of the Second Amended Complaint.

**M. Northstar**

529. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 529 of the Second Amended Complaint.

530. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 530 of the Second Amended Complaint.

531. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 531 of the Second Amended Complaint.

532. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 532 of the Second Amended Complaint.

533. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 533 of the Second Amended Complaint.

534. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 534 of the Second Amended Complaint.

535. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 535 of the Second Amended Complaint.

536. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 536 of the Second Amended Complaint.

537. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 537 of the Second Amended Complaint.

538. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 538 of the Second Amended Complaint.

539. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 539 of the Second Amended Complaint.

540. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 540 of the Second Amended Complaint.

541. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 541 of the Second Amended Complaint.

542. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 542 of the Second Amended Complaint.

543. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 543 of the Second Amended Complaint.

544. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 544 of the Second Amended Complaint.

545. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 545 of the Second Amended Complaint.

546. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 546 of the Second Amended Complaint.

547. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 547 of the Second Amended Complaint.

548. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 548 of the Second Amended Complaint.

549. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 549 of the Second Amended Complaint.

550. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 550 of the Second Amended Complaint.

**N. The Second Scheme**

551. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 551 of the Second Amended Complaint.

552. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 552 of the Second Amended Complaint.

553. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 553 of the Second Amended Complaint.

554. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 554 of the Second Amended Complaint.

555. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 555 of the Second Amended Complaint.

1. **Use of Montsant to Hide Beechwood Encumbrance of PPVA Assets**

556. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 556 of the Second Amended Complaint.

557. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 557 of the Second Amended Complaint.

558. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 558 of the Second Amended Complaint.

559. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 559 of the Second Amended Complaint.

560. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 560 of the Second Amended Complaint.

561. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 561 of the Second Amended Complaint.

562. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 562 of the Second Amended Complaint.

563. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 563 of the Second Amended Complaint.

564. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 564 of the Second Amended Complaint.

565. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 565 of the Second Amended Complaint.

566. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 566 of the Second Amended Complaint.

567. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 567 of the Second Amended Complaint.

**2. Nordlicht Side Letter**

568. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 568 of the Second Amended Complaint.

569. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 569 of the Second Amended Complaint.

570. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 570 of the Second Amended Complaint.

571. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 571 of the Second Amended Complaint.

572. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 572 of the Second Amended Complaint.

573. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 573 of the Second Amended Complaint.

574. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 574 of the Second Amended Complaint.

575. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 575 of the Second Amended Complaint.

576. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 576 of the Second Amended Complaint.

577. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 577 of the Second Amended Complaint.

578. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 578 of the Second Amended Complaint.

579. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 579 of the Second Amended Complaint.

580. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 580 of the Second Amended Complaint.

581. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 581 of the Second Amended Complaint.

582. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 582 of the Second Amended Complaint.

583. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 583 of the Second Amended Complaint.

**3. March 2016 “Restructuring” of PPVA/PPCO/Beechwood Transactions**

584. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 584 of the Second Amended Complaint.

585. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 585 of the Second Amended Complaint.

586. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 586 of the Second Amended Complaint.

587. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 587 of the Second Amended Complaint.

588. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 588 of the Second Amended Complaint.

589. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 589 of the Second Amended Complaint.

590. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 590 of the Second Amended Complaint.

591. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 591 of the Second Amended Complaint.

592. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 592 of the Second Amended Complaint.

593. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 593 of the Second Amended Complaint.

594. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 594 of the Second Amended Complaint.

595. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 595 of the Second Amended Complaint.

596. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 596 of the Second Amended Complaint.

597. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 597 of the Second Amended Complaint.

598. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 598 of the Second Amended Complaint.

599. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 599 of the Second Amended Complaint.

600. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 600 of the Second Amended Complaint.

601. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 601 of the Second Amended Complaint.

602. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 602 of the Second Amended Complaint.

603. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 603 of the Second Amended Complaint.

604. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 604 of the Second Amended Complaint.

605. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 605 of the Second Amended Complaint.

606. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 606 of the Second Amended Complaint.

**O. The Agera Transactions**

607. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 607 of the Second Amended Complaint.



608. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 608 of the Second Amended Complaint.

609. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 609 of the Second Amended Complaint.

610. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 610 of the Second Amended Complaint.

**1. Agera Energy**

611. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 611 of the Second Amended Complaint.

612. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 612 of the Second Amended Complaint.

613. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 613 of the Second Amended Complaint.

614. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 614 of the Second Amended Complaint.

615. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 615 of the Second Amended Complaint.

616. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 616 of the Second Amended Complaint.

617. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 617 of the Second Amended Complaint.

618. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 618 of the Second Amended Complaint.

619. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 619 of the Second Amended Complaint.

620. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 620 of the Second Amended Complaint.

621. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 621 of the Second Amended Complaint.

622. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 622 of the Second Amended Complaint.

623. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 623 of the Second Amended Complaint.

624. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 624 of the Second Amended Complaint.

625. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 625 of the Second Amended Complaint.

626. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 626 of the Second Amended Complaint.

**2. The Agera Energy Valuation**

627. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 627 of the Second Amended Complaint.

628. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 628 of the Second Amended Complaint.

629. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 629 of the Second Amended Complaint.

**3. The Agera Sale Process**

630. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 630 of the Second Amended Complaint.

631. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 631 of the Second Amended Complaint.

632. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 632 of the Second Amended Complaint.

633. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 633 of the Second Amended Complaint.

634. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 634 of the Second Amended Complaint.

635. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 635 of the Second Amended Complaint.

636. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 636 of the Second Amended Complaint.

637. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 637 of the Second Amended Complaint.

638. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 638 of the Second Amended Complaint.

639. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 639 of the Second Amended Complaint.

640. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 640 of the Second Amended Complaint.

641. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 641 of the Second Amended Complaint.

642. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 642 of the Second Amended Complaint.

**4. The Agera Sale**

643. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 643 of the Second Amended Complaint.

644. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 644 of the Second Amended Complaint.

645. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 645 of the Second Amended Complaint.

646. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 646 of the Second Amended Complaint.

647. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 647 of the Second Amended Complaint.

648. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 648 of the Second Amended Complaint.

649. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 649 of the Second Amended Complaint.

650. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 650 of the Second Amended Complaint.

651. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 651 of the Second Amended Complaint.

652. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 652 of the Second Amended Complaint.

653. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 653 of the Second Amended Complaint.

654. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 654 of the Second Amended Complaint.

655. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 655 of the Second Amended Complaint.

656. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 656 of the Second Amended Complaint.

657. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 657 of the Second Amended Complaint.

658. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 658 of the Second Amended Complaint.

659. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 659 of the Second Amended Complaint.

**5. The Redemption of the Class C Portion of the Note Purchase Price**

660. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 660 of the Second Amended Complaint.

661. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 661 of the Second Amended Complaint.

662. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 662 of the Second Amended Complaint.

663. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 663 of the Second Amended Complaint.

664. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 664 of the Second Amended Complaint.

665. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 665 of the Second Amended Complaint.

666. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 666 of the Second Amended Complaint.

667. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 667 of the Second Amended Complaint.

668. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 668 of the Second Amended Complaint.

669. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 669 of the Second Amended Complaint.

670. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 670 of the Second Amended Complaint.

671. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 671 of the Second Amended Complaint.

672. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 672 of the Second Amended Complaint.

**P. The Security Lockup**

673. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 673 of the Second Amended Complaint.

674. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 674 of the Second Amended Complaint.

675. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 675 of the Second Amended Complaint.

676. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 676 of the Second Amended Complaint.

**1. PPNE Notes**

677. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 677 of the Second Amended Complaint.

678. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 678 of the Second Amended Complaint.

679. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 679 of the Second Amended Complaint.

680. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 680 of the Second Amended Complaint.

681. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 681 of the Second Amended Complaint.

682. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 682 of the Second Amended Complaint.

683. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 683 of the Second Amended Complaint.

684. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 684 of the Second Amended Complaint.

685. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 685 of the Second Amended Complaint.

686. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 686 of the Second Amended Complaint.

687. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 687 of the Second Amended Complaint.

**2. Kismetia**

688. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 688 of the Second Amended Complaint.

689. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 689 of the Second Amended Complaint.

690. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 690 of the Second Amended Complaint.

691. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 691 of the Second Amended Complaint.

692. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 692 of the Second Amended Complaint.

693. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 693 of the Second Amended Complaint.

694. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 694 of the Second Amended Complaint.



695. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 695 of the Second Amended Complaint.

**3. Twosons**

696. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 696 of the Second Amended Complaint.

697. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 697 of the Second Amended Complaint.

698. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 698 of the Second Amended Complaint.

699. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 699 of the Second Amended Complaint.

700. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 700 of the Second Amended Complaint.

701. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 701 of the Second Amended Complaint.

702. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 702 of the Second Amended Complaint.

703. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 703 of the Second Amended Complaint.

704. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 704 of the Second Amended Complaint.

705. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 705 of the Second Amended Complaint.

706. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 706 of the Second Amended Complaint.

707. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 707 of the Second Amended Complaint.

708. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 708 of the Second Amended Complaint.

709. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 709 of the Second Amended Complaint.

710. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 710 of the Second Amended Complaint.

711. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 711 of the Second Amended Complaint.

712. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 712 of the Second Amended Complaint.

713. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 713 of the Second Amended Complaint.

714. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 714 of the Second Amended Complaint.

715. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 715 of the Second Amended Complaint.

716. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 716 of the Second Amended Complaint.

717. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 717 of the Second Amended Complaint.

718. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 718 of the Second Amended Complaint.

719. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 719 of the Second Amended Complaint.

720. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 720 of the Second Amended Complaint.

721. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 721 of the Second Amended Complaint.

722. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 722 of the Second Amended Complaint.

723. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 723 of the Second Amended Complaint.

724. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 724 of the Second Amended Complaint.

725. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 725 of the Second Amended Complaint.

**4. Seth Gerszberg and West Loop/Epocs**

726. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 726 of the Second Amended Complaint.

727. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 727 of the Second Amended Complaint.

728. Defendant denies the allegations contained in Paragraph 728 of the Second Amended Complaint.

729. Defendant admits the allegations contained in Paragraph 729 of the Second Amended Complaint.

730. Defendant denies the allegations contained in Paragraph 730 of the Complaint, and refers to the document therein for its complete terms and conditions.

731. Defendant denies the allegations contained in Paragraph 731 of the Complaint, and refers to the document therein for its complete terms and conditions.

732. Defendant denies the allegations contained in Paragraph 732 of the Complaint, except to admit that Seth Gerszberg had a “business relationship” with Steven and Alan Finkelman.

733. Defendant admits the allegations contained in Paragraph 733 of the Second Amended Complaint.

734. Defendant admits the allegations contained in Paragraph 734 of the Second Amended Complaint.

735. Defendant denies the allegations contained in Paragraph 735 of the Second Amended Complaint.

736. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 736 of the Second Amended Complaint.

737. Defendant denies the allegations contained in Paragraph 737 of the Second Amended Complaint.

738. Defendant denies the allegations contained in Paragraph 738 of the Complaint, and refers to the document therein for its complete terms and conditions.

739. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 739 of the Second Amended Complaint.

740. Defendant denies the allegations contained in Paragraph 740 of the Complaint, and refers to the document therein for its complete terms and conditions.

741. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 741 of the Second Amended Complaint.

742. Defendant denies the allegations contained in Paragraph 742 of the Second Amended Complaint.

743. Defendant denies the allegations contained in Paragraph 743 of the Second Amended Complaint.

744. Defendant denies the allegations contained in Paragraph 744 of the Second Amended Complaint.

745. Defendant denies the allegations contained in Paragraph 745 of the Second Amended Complaint.

746. Defendant denies the allegations contained in Paragraph 746 of the Complaint, and refers to the document therein for its complete terms and conditions.

747. Defendant denies the allegations contained in Paragraph 747 of the Second Amended Complaint. and refers to the document therein for its complete terms and conditions.

748. Defendant denies the allegations contained in Paragraph 748 of the Complaint and refers to the document therein for its complete terms and conditions.

749. Defendant denies the allegations contained in Paragraph 749 of the Second Amended Complaint.

750. Defendant denies the allegations contained in Paragraph 750 of the Second Amended Complaint.

751. Defendant denies the allegations contained in Paragraph 751 of the Second Amended Complaint.

752. Defendant denies the allegations contained in Paragraph 752 of the Complaint, and refers to the document therein for its complete terms and conditions.

753. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 753 of the Second Amended Complaint.

754. Defendant denies the allegations contained in Paragraph 754 of the Complaint, and refers to the document therein for its complete terms and conditions.

755. Defendant denies the allegations contained in Paragraph 755 of the Complaint, and refers to the document therein for its complete terms and conditions.

756. Defendant denies the allegations contained in Paragraph 756 of the Complaint, and refers to the document therein for its complete terms and conditions.

757. Defendant denies the allegations contained in Paragraph 757 of the Complaint, and refers to the document therein for its complete terms and conditions.

758. Defendant denies the allegations contained in Paragraph 758 of the Second Amended Complaint.

759. Defendant denies the allegations contained in Paragraph 759 of the Second Amended Complaint.

760. Defendant denies the allegations contained in Paragraph 760 of the Complaint, and refers to the document therein for its complete terms and conditions.

761. Defendant denies the allegations contained in Paragraph 761 of the Complaint, and refers to the document therein for its complete terms and conditions.

762. Defendant denies the allegations contained in Paragraph 762 of the Complaint, and refers to the document therein for its complete terms and conditions.

**CLAIMS FOR RELIEF**

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

763. Defendant repeats and reasserts each of its responses to Paragraphs 1- 762 as if fully set forth herein.

764. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 764 of the Second Amended Complaint.

765. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 765 of the Second Amended Complaint.

766. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 766 of the Second Amended Complaint.

767. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 767 of the Second Amended Complaint.

768. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 768 of the Second Amended Complaint.

769. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 769 of the Second Amended Complaint.

770. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 770 of the Second Amended Complaint.

771. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 771 of the Second Amended Complaint.

772. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 772 of the Second Amended Complaint.

773. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 773 of the Second Amended Complaint.

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

774. Defendant repeats and reasserts each of its responses to Paragraphs 1- 773 as if fully set forth herein.

775. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 775 of the Second Amended Complaint.

776. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 776 of the Second Amended Complaint.

777. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 777 of the Second Amended Complaint.

778. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 778 of the Second Amended Complaint.

779. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 779 of the Second Amended Complaint.

780. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 780 of the Second Amended Complaint.

781. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 781 of the Second Amended Complaint.



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

782. Defendant repeats and reasserts each of its responses to Paragraphs 1- 781 as if fully set forth herein..

783. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 783 of the Second Amended Complaint.

784. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 784 of the Second Amended Complaint.

785. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 785 of the Second Amended Complaint.

786. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 786 of the Second Amended Complaint.

787. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 787 of the Second Amended Complaint.

788. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 788 of the Second Amended Complaint.

789. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 789 of the Second Amended Complaint.

790. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 790 of the Second Amended Complaint.

791. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 791 of the Second Amended Complaint.

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

792. Defendant repeats and reasserts each of its responses to Paragraphs 1- 791 as if fully set forth herein.

793. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 793 of the Second Amended Complaint.

794. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 794 of the Second Amended Complaint.

795. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 795 of the Second Amended Complaint.

796. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 796 of the Second Amended Complaint.

797. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 797 of the Second Amended Complaint.

798. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 798 of the Second Amended Complaint.

799. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 799 of the Second Amended Complaint.

800. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 800 of the Second Amended Complaint.

801. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 801 of the Second Amended Complaint.

802. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 802 of the Second Amended Complaint.

803. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 803 of the Second Amended Complaint.

804. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 804 of the Second Amended Complaint.

805. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 805 of the Second Amended Complaint.

806. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 806 of the Second Amended Complaint.

807. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 807 of the Second Amended Complaint.

808. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 808 of the Second Amended Complaint.

809. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 809 of the Second Amended Complaint.

810. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 810 of the Second Amended Complaint.

811. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 811 of the Second Amended Complaint.

812. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 812 of the Second Amended Complaint.

813. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 813 of the Second Amended Complaint.

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

814. Defendant repeats and reasserts each of its responses to Paragraphs 1- 813 as if fully set forth herein.

815. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 815 of the Second Amended Complaint.

816. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 816 of the Second Amended Complaint.

817. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 817 of the Second Amended Complaint.

818. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 818 of the Second Amended Complaint.

819. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 819 of the Second Amended Complaint.

820. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 820 of the Second Amended Complaint.

821. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 821 of the Second Amended Complaint.

822. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 822 of the Second Amended Complaint.

823. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 823 of the Second Amended Complaint.

824. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 824 of the Second Amended Complaint.

825. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 825 of the Second Amended Complaint.

826. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 826 of the Second Amended Complaint.

827. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 827 of the Second Amended Complaint.

828. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 828 of the Second Amended Complaint.

829. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 829 of the Second Amended Complaint.

830. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 830 of the Second Amended Complaint.

831. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 831 of the Second Amended Complaint.

832. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 832 of the Second Amended Complaint.

833. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 833 of the Second Amended Complaint.

834. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 834 of the Second Amended Complaint.

835. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 835 of the Second Amended Complaint.

836. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 836 of the Second Amended Complaint.

837. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 837 of the Second Amended Complaint.

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

838. Defendant repeats and reasserts each of its responses to Paragraphs 1- 837 as if fully set forth herein.

839. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 839 of the Second Amended Complaint.

840. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 840 of the Second Amended Complaint.

841. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 841 of the Second Amended Complaint.

842. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 842 of the Second Amended Complaint.

843. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 843 of the Second Amended Complaint.

844. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 844 of the Second Amended Complaint.

845. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 845 of the Second Amended Complaint.

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

846. Defendant repeats and reasserts each of its responses to Paragraphs 1- 845 as if fully set forth herein.

847. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 847 of the Second Amended Complaint.

848. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 848 of the Second Amended Complaint.

849. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 849 of the Second Amended Complaint.

850. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 850 of the Second Amended Complaint.

851. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 851 of the Second Amended Complaint.

852. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 852 of the Second Amended Complaint.

853. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 853 of the Second Amended Complaint.

854. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 854 of the Second Amended Complaint.

855. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 855 of the Second Amended Complaint.

856. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 856 of the Second Amended Complaint.

857. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 857 of the Second Amended Complaint.

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

858. Defendant repeats and reasserts each of its responses to Paragraphs 1- 857 as if fully set forth herein.

859. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 859 of the Second Amended Complaint.

860. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 860 of the Second Amended Complaint.

861. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 861 of the Second Amended Complaint.

862. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 862 of the Second Amended Complaint.

863. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 863 of the Second Amended Complaint.

864. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 864 of the Second Amended Complaint.

865. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 865 of the Second Amended Complaint.

866. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 866 of the Second Amended Complaint.

867. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 867 of the Second Amended Complaint.



868. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 868 of the Second Amended Complaint.

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

869. Defendant repeats and reasserts each of its responses to Paragraphs 1- 868 as if fully set forth herein.

870. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 870 of the Second Amended Complaint.

871. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 871 of the Second Amended Complaint.

872. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 872 of the Second Amended Complaint.

873. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 873 of the Second Amended Complaint.

874. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 874 of the Second Amended Complaint.

875. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 875 of the Second Amended Complaint.

876. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 876 of the Second Amended Complaint.

877. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 877 of the Second Amended Complaint.

878. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 878 of the Second Amended Complaint.

879. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 879 of the Second Amended Complaint.

880. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 880 of the Second Amended Complaint.

881. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 881 of the Second Amended Complaint.

882. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 882 of the Second Amended Complaint.

883. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 883 of the Second Amended Complaint.

884. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 884 of the Second Amended Complaint.

885. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 885 of the Second Amended Complaint.

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

886. Defendant repeats and reasserts each of its responses to Paragraphs 1- 885 as if fully set forth herein.

887. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 887 of the Second Amended Complaint.

888. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 888 of the Second Amended Complaint.

889. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 889 of the Second Amended Complaint.

890. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 890 of the Second Amended Complaint.

891. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 891 of the Second Amended Complaint.

892. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 892 of the Second Amended Complaint.

893. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 893 of the Second Amended Complaint.

894. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 894 of the Second Amended Complaint.

895. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 895 of the Second Amended Complaint.

896. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 896 of the Second Amended Complaint.

897. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 897 of the Second Amended Complaint.

898. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 898 of the Second Amended Complaint.

899. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 899 of the Second Amended Complaint.

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

900. Defendant repeats and reasserts each of its responses to Paragraphs 1- 899 as if fully set forth herein..

901. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 901 of the Second Amended Complaint.

902. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 902 of the Second Amended Complaint.

903. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 903 of the Second Amended Complaint.

904. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 904 of the Second Amended Complaint.

905. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 905 of the Second Amended Complaint.

906. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 906 of the Second Amended Complaint.

907. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 907 of the Second Amended Complaint.

908. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 908 of the Second Amended Complaint.

909. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 909 of the Second Amended Complaint.

910. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 910 of the Second Amended Complaint.

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

911. Defendant repeats and reasserts each of its responses to Paragraphs 1- 910 as if fully set forth herein..

912. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 912 of the Second Amended Complaint.

913. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 913 of the Second Amended Complaint.

914. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 914 of the Second Amended Complaint.

915. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 915 of the Second Amended Complaint.

916. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 916 of the Second Amended Complaint.

917. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 917 of the Second Amended Complaint.

918. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 918 of the Second Amended Complaint.

919. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 919 of the Second Amended Complaint.

920. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 920 of the Second Amended Complaint.

921. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 921 of the Second Amended Complaint.

922. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 922 of the Second Amended Complaint.

923. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 923 of the Second Amended Complaint.

924. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 924 of the Second Amended Complaint.

925. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 925 of the Second Amended Complaint.

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

926. Defendant repeats and reasserts each of its responses to Paragraphs 1- 925 as if fully set forth herein.

927. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 927 of the Second Amended Complaint.

928. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 928 of the Second Amended Complaint.

929. Defendant denies the allegations contained in Paragraph 929 of the Second Amended Complaint.

930. Defendant denies the allegations contained in Paragraph 930 of the Second Amended Complaint.

931. Defendant denies the allegations contained in Paragraph 931 of the Second Amended Complaint.

932. Defendant denies the allegations contained in Paragraph 932 of the Second Amended Complaint.

933. Defendant denies the allegations contained in Paragraph 933 of the Second Amended Complaint.

934. Defendant denies the allegations contained in Paragraph 934 of the Second Amended Complaint.

935. Defendant denies the allegations contained in Paragraph 935 of the Second Amended Complaint.

936. Defendant denies the allegations contained in Paragraph 936 of the Second Amended Complaint.

937. Defendant denies the allegations contained in Paragraph 937 of the Second Amended Complaint.

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

938. Defendant repeats and reasserts each of its responses to Paragraphs 1- 937 as if fully set forth herein..

939. Defendant denies the allegations contained in Paragraph 939 of the Second Amended Complaint.

940. Defendant denies the allegations contained in Paragraph 940 of the Second Amended Complaint.

941. Defendant denies the allegations contained in Paragraph 941 of the Second Amended Complaint.

942. Defendant denies the allegations contained in Paragraph 942 of the Second Amended Complaint.

943. Defendant denies the allegations contained in Paragraph 943 of the Second Amended Complaint.

944. Defendant denies the allegations contained in Paragraph 944 of the Second Amended Complaint.

945. Defendant denies the allegations contained in Paragraph 945 of the Second Amended Complaint.

946. Defendant denies the allegations contained in Paragraph 946 of the Second Amended Complaint.

947. Defendant denies the allegations contained in Paragraph 947 of the Second Amended Complaint.

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

948. Defendant repeats and reasserts each of its responses to Paragraphs 1- 947 as if fully set forth herein..

949. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 949 of the Second Amended Complaint.

950. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 950 of the Second Amended Complaint.

951. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 951 of the Second Amended Complaint.

952. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 952 of the Second Amended Complaint.

953. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 953 of the Second Amended Complaint.

954. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 954 of the Second Amended Complaint.

955. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 955 of the Second Amended Complaint.



956. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 956 of the Second Amended Complaint.

957. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 957 of the Second Amended Complaint.

958. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 958 of the Second Amended Complaint.

959. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 959 of the Second Amended Complaint.

960. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 960 of the Second Amended Complaint.

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

961. Defendant repeats and reasserts each of its responses to Paragraphs 1- 960 as if fully set forth herein.

962. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 962 of the Second Amended Complaint.

963. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 963 of the Second Amended Complaint.

964. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 964 of the Second Amended Complaint.

965. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 965 of the Second Amended Complaint.

966. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 966 of the Second Amended Complaint.

967. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 967 of the Second Amended Complaint.

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

968. Defendant repeats and reasserts each of its responses to Paragraphs 1- 967 as if fully set forth herein.

969. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 969 of the Second Amended Complaint.

970. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 970 of the Second Amended Complaint.

971. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 971 of the Second Amended Complaint.

972. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 972 of the Second Amended Complaint.

973. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 973 of the Second Amended Complaint.

974. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 974 of the Second Amended Complaint.

975. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 975 of the Second Amended Complaint.

976. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 976 of the Second Amended Complaint.

977. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 977 of the Second Amended Complaint.

978. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 978 of the Second Amended Complaint.

979. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 979 of the Second Amended Complaint.

980. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 980 of the Second Amended Complaint.

981. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 981 of the Second Amended Complaint.

982. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 982 of the Second Amended Complaint.

983. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 983 of the Second Amended Complaint.

984. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 984 of the Second Amended Complaint.

985. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 985 of the Second Amended Complaint.

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

986. Defendant repeats and reasserts each of its responses to Paragraphs 1- 985 as if fully set forth herein.

987. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 987 of the Second Amended Complaint.

988. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 988 of the Second Amended Complaint.

989. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 989 of the Second Amended Complaint.

990. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 990 of the Second Amended Complaint.

991. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 991 of the Second Amended Complaint.

992. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 992 of the Second Amended Complaint.

993. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 993 of the Second Amended Complaint.

994. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 994 of the Second Amended Complaint.

995. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 995 of the Second Amended Complaint.

996. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 996 of the Second Amended Complaint.

997. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 997 of the Second Amended Complaint.

998. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 998 of the Second Amended Complaint.

999. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 999 of the Second Amended Complaint.

1000. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1000 of the Second Amended Complaint.

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

1001. Defendant repeats and reasserts each of its responses to Paragraphs 1- 1000 as if fully set forth herein.

1002. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1002 of the Second Amended Complaint.

1003. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1003 of the Second Amended Complaint.

1004. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1004 of the Second Amended Complaint.

1005. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1005 of the Second Amended Complaint.

1006. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1006 of the Second Amended Complaint.

1007. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1007 of the Second Amended Complaint.

1008. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1008 of the Second Amended Complaint.

1009. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1009 of the Second Amended Complaint.

1010. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1010 of the Second Amended Complaint.

1011. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1011 of the Second Amended Complaint.

1012. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1012 of the Second Amended Complaint.

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

1013. Defendant repeats and reasserts each of its responses to Paragraphs 1- 1012 as if fully set forth herein..

1014. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1014 of the Second Amended Complaint.

1015. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1015 of the Second Amended Complaint.

1016. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1016 of the Second Amended Complaint.

1017. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1017 of the Second Amended Complaint.

1018. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1018 of the Second Amended Complaint.

1019. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1019 of the Second Amended Complaint.

1020. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1020 of the Second Amended Complaint.

**Twenty-First Count: Declaratory Judgment that the  
Master Guaranty Is Void and Unenforceable as against Public Policy**

1021. Defendant repeats and reasserts each of its responses to Paragraphs 1- 1020 as if fully set forth herein.

1022. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1022 of the Second Amended Complaint.

1023. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1023 of the Second Amended Complaint.

1024. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1024 of the Second Amended Complaint.

1025. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1025 of the Second Amended Complaint.

1026. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1026 of the Second Amended Complaint.

1027. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1027 of the Second Amended Complaint.

1028. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1028 of the Second Amended Complaint.

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

1029. Defendant repeats and reasserts each of its responses to Paragraphs 1- 1028 as if fully set forth herein.

1030. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1030 of the Second Amended Complaint.

1031. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1031 of the Second Amended Complaint.

1032. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1032 of the Second Amended Complaint.

1033. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1033 of the Second Amended Complaint.

1034. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1034 of the Second Amended Complaint.

1035. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1035 of the Second Amended Complaint.

1036. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1036 of the Second Amended Complaint.

1037. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1037 of the Second Amended Complaint.

1038. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1038 of the Second Amended Complaint.

1039. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1039 of the Second Amended Complaint.

1040. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1040 of the Second Amended Complaint.

1041. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1041 of the Second Amended Complaint.



**WHEREFORE**, Seth Gerszberg respectfully requests judgment dismissing Plaintiffs' claims as against Seth Gerszberg in their entirety with prejudice, awarding Seth Gerszberg costs and expenses, including attorneys' fees, and such further and additional relief as the Court deems just and proper.

**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief may be granted.

**SECOND AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred because the Plaintiffs have acted in bad faith.

**THIRD AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the doctrine of unclean hands.

**FOURTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the doctrine of estoppel.

**FIFTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the doctrine of waiver.

**SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by applicable statutes of limitation.

**SEVENTH AFFIRMATIVE DEFENSE**

At all relevant times Seth Gerszberg acted in a commercially reasonable manner.

**EIGHTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the doctrine of laches.

**NINTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred because Plaintiffs have failed to mitigate their damages.

**TENTH AFFIRMATIVE DEFENSE**

Plaintiffs' damages, to the extent they have sustained any, are due to their own actions or failures to act and not due to the actions of Seth Gerszberg.

**ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred because Seth Gerszberg owed no duties to Plaintiffs at any relevant time.

**TWELFTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred for lack of standing.

**THIRTEENTH AFFIRMATIVE DEFENSE**

Defendant reserves the right to interpose such other defenses and objections to Plaintiffs' claims as continuing investigation may disclose.

DATED: September 3, 2019

EPSTEIN OSTROVE, LLC  
Attorneys for Defendant, Seth Gerszberg

By: s/ Elliot D. Ostrove  
ELLIOT D. OSTROVE

200 Metroplex Drive, Suite 304  
Edison, New Jersey 08817

and

43 West 43<sup>rd</sup> Street, Suite 139  
New York, NY 10036  
Telephone: (732-828-8600  
*Attorneys for Defendant, Seth Gerszberg*