Eliot Lauer

Jacques Semmelman Gabriel Hertzberg CURTIS, MALLET-PREVOST, **COLT & MOSLE LLP** 101 Park Avenue New York, New York 10178-0061 Telephone: 212-696-6000 Facsimile: 212-697-1559 Email: elauer@curtis.com jsemmelman@curtis.com ghertzberg@curtis.com Attorneys for Defendants Beechwood Trust Nos. 7-14 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ----- X MARTIN TROTT and CHRISTOPHER SMITH, as Joint: Official Liquidators and Foreign Representatives of PLATINUM PARTNERS VALUE ARBITRAGE FUND: L.P. (in OFFICIAL LIQUIDATION) and PLATINUM No. 18 Civ. 10936 (JSR) PARTNERS VALUE ARBITRAGE FUND L.P. (in OFFICIAL LIQUIDATION), Plaintiffs, V. PLATINUM MANAGEMENT (NY) LLC, et al., Defendants.

MEMORANDUM OF LAW OF BEECHWOOD TRUST NOS. 7-14 IN SUPPORT OF THEIR MOTION TO DISMISS ON GROUP PLEADING GROUNDS

Defendants Beechwood Trust Nos. 7-14 (the "Movant Trusts") respectfully move to dismiss the Complaint for failure to state a claim for which relief can be granted.

The allegations against the Movant Trusts rely entirely on impermissible group pleading. The Movant Trusts are identified among a group of other trusts defined as

"Beechwood Trusts." (Compl. ¶ 75). The Beechwood Trusts are then folded into an even larger group called "Beechwood Entities." (Compl. ¶ 76). The Fourteenth Count of the Complaint purports to state a claim against all the Beechwood Entities, but the Complaint is devoid entirely of any factual allegation of wrongdoing by or through any of the Movant Trusts.

For these reasons and for the reasons set forth in Section I of the Memorandum of Law filed by defendant David Bodner, the Complaint fails to state a claim against the Movant Trusts for which relief can be granted.

Dated: January 9, 2019

New York, New York

Respectfully submitted,

CURTIS, MALLET-PREVOST, COLT & MOSLE LLP

By: /s/ Eliot Lauer

Eliot Lauer Jacques Semmelman Gabriel Hertzberg 101 Park Avenue

New York, New York 10178

Tel.: (212) 696-6000 Fax: (212) 697-1559 Email: elauer@curtis.com

> jsemmelman@curtis.com ghertzberg@curtis.com

Attorneys for Defendants Beechwood Trust Nos. 7-14

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