

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTIN TROTT and CHRISTOPHER SMITH,
as Joint Official Liquidators and Foreign
Representatives of PLATINIUM PARTNERS
VA;LUE ARBITRAGE FUND L.P. (in
OFFICIAL LIQUIDATION) and PLATINIUM
PARTNERSV VALUE ARBITRAGE FUND L.P.
(in OFFICIAL LIQUIDATION),

Plaintiff,

MEMORANDUM OF LAW

- against -

Civil Action No.
1:18-cv-10936 (JSR)

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

Defendants

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Defendant Bernard Fuchs joins the motion of defendant David Bodner to dismiss the complaint for failure to state a claim upon which relief may be granted.

The allegations against Bernard Fuchs rely entirely on impermissible group pleading in violation of F.R.C.P. 8 & 9 (b).

For this reason 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 cause of action against defendant Bernard Fuchs for which relief can be granted.

Dated: January 9, 2019

Novak, Juhase & Stern

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