

AO 441 (Rev. 07/10) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Melanie L. Cyganowski
Plaintiff
v.
Washington National Insurance Co., Bankers Conseco Life Insurance Co., et al.
Defendant, Third-party plaintiff
v.
Mark Nordlicht, et al.
Third-party defendant

Civil Action No. 18-cv-12018
CONSOLIDATED CASE NO. 18-cv-6658
SEE ATTACHED RIDER FOR FULL CASE CAPTIONS

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (Third-party defendant's name and address)

SEE ATTACHED RIDER

Washington National Insurance Company
Bankers Conseco Life Insurance Company

A lawsuit has been filed against defendant Washington National Insurance Company Bankers Conseco Life Insurance Company, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Melanie L. Cyganowski.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Adam J. Kaiser
Alston & Bird LLP
90 Park Avenue, New York, NY 10016

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Adam Silverstein, Otterbourg P.C., 230 Park Ave., New York, NY 10169

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: 3/28/2019

CLERK OF COURT

/s/ P. Canales

Signature of Clerk or Deputy Clerk



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Civil Action No. 18-cv-12018

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Add Attachment

Reset

MARTIN TROTT and CHRISTOPHER SMITH, as Joint Official Liquidators and Foreign Representatives of PLATINUM PARTNERS VALUE ARBITRAGE FUND L.P. (in Official Liquidation) and PLATINUM PARTNERS VALUE ARBITRAGE FUND L.P. (in Official Liquidation),

18-cv-10936 (JSR)

Plaintiffs,

v.

PLATINUM MANAGEMENT (NY) LLC, MARK NORDLICHT, DAVID LEVY, ESTATE OF URI LANDESMAN, MURRAY HUBERFELD, DAVID BODNER, DANIEL SMALL, JOSEPH SANFILIPPO, DAVID OTTENSOSER, BERNARD FUCHS, MICHAEL NORDLICHT, MICHAEL KATZ, KEVIN CASSIDY, SETH GERSZBERG, EZRA BEREN, NAFTALI MANELA, DANIEL SAKS, MOSHE M. FEUER a/k/a MARK FEUER, SCOTT TAYLOR, DHRUV NARAIN, PLATINUM PARTNERS BLACK ELK OPPORTUNITIES FUND LLC, PLATINUM PARTNERS BLACK ELK OPPORTUNITIES FUND INTERNATIONAL LTD., MORRIS FUCHS, LEON MYERS, MN CONSULTING NY LLC, ESTATE OF JULES NORDLICHT, ESTATE OF SOLOMON ENGLANDER, ESTATE OF GERTRUDE ENGLANDER, ROCKWELL FULTON CAPITAL, DITMAS PARK CAPITAL L.P., PLATINUM F.I. GROUP, LLC, FCBA TRUST, AARON PARNES, SARAH PARNES, SHMUEL FUCHS FOUNDATION, SOLOMON WEDIGER, OLIVE TREE HOLDINGS, LLC, MERIDIAN CAPITAL FOUNDATION, HUANG LAI TSU HSIA, HUBERFELD FAMILY FOUNDATION, MIND, BODY AND SOUL CO. LIMITED, TWOSONS CORPORATION, GRD ESTATES LTD., B

ASSET MANAGER LP, B ASSET)
MANAGER II LP, BEECHWOOD RE)
INVESTMENTS, LLC, BEECHWOOD RE)
HOLDINGS, INC., BEECHWOOD RE)
LTD., BEECHWOOD BERMUDA)
INTERNATIONAL LTD., BAM)
ADMINISTRATIVE SERVICES LLC,)
ILLUMIN CAPITAL MANAGEMENT LP,)
BRE BCLIC PRIMARY, BRE BCLIC SUB,)
BRE WNIC 2013 LTC PRIMARY, BRE)
WNIC LTC SUB, BBIL ULICO 2014)
TRUST, BEECHWOOD TRUST NO. 1,)
BEECHWOOD TRUST NO. 2,)
BEECHWOOD TRUST NO. 3,)
BEECHWOOD TRUST NO. 4,)
BEECHWOOD TRUST NO. 5,)
BEECHWOOD TRUST NO. 6,)
BEECHWOOD TRUST NO. 15,)
BEECHWOOD TRUST NO. 16,)
BEECHWOOD TRUST NO. 17,)
BEECHWOOD TRUST NO. 18,)
BEECHWOOD TRUST NO. 19,)
BEECHWOOD TRUST NO. 20,)
BEECHWOOD RE INVESTMENTS, LLC)
SERIES A, BEECHWOOD RE)
INVESTMENTS, LLC SERIES B,)
BEECHWOOD RE INVESTMENTS, LLC)
SERIES C, BEECHWOOD RE)
INVESTMENTS, LLC SERIES D,)
BEECHWOOD RE INVESTMENTS, LLC)
SERIES E, BEECHWOOD RE)
INVESTMENTS, LLC SERIES F,)
BEECHWOOD RE INVESTMENTS, LLC)
SERIES G, BEECHWOOD RE)
INVESTMENTS, LLC SERIES H,)
BEECHWOOD RE INVESTMENTS, LLC)
SERIES I, JOHN DOES 1-100, MEADOWS)
CAPITAL LLC, ABRAHAM C.)
GROSSMAN, DAVID GICHTIN, ORA)
GICHTIN, GOLDA WILK, THE ESTATE)
OF MARCOS KATZ, ADELA KATZ,)
ROCKWELL FULTON CAPITAL, L.P.)
)
Defendants.)

MELANIE L. CYGANOWSKI, as Equity)
Receiver for PLATINUM PARTNERS)
CREDIT OPPORTUNITIES MASTER)
FUND LP, PLATINUM PARTNERS)
CREDIT OPPORTUNITIES FUND (TE))
LLC, PLATINUM PARTNERS CREDIT)
OPPORTUNITIES FUND LLC,)
PLATINUM PARTNERS CREDIT)
OPPORTUNITIES FUND)
INTERNATIONAL LTD., PLATINUM)
PARTNERS CREDIT OPPORTUNITIES)
FUND INTERNATIONAL (A) LTD., and)
PLATINUM PARTNERS CREDIT)
OPPORTUNITIES FUND (BL) LLC,)

18-cv-12018 (JSR)

Plaintiffs,

v.

BEECHWOOD RE LTD., BEECHWOOD)
RE INVESTMENTS, LLC, B ASSET)
MANAGER LP, B ASSET MANAGER II)
LP, BEECHWOOD RE HOLDINGS, INC.,)
BEECHWOOD BERMUDA)
INTERNATIONAL, LTD., BEECHWOOD)
BERMUDA LTD., BAM)
ADMINISTRATIVE SERVICES LLC, BRE)
BCLIC 2013 LTC PRIMARY, BRE BCLIC)
2013 LTC SUB, BRE WNIC 2013 LTC)
PRIMARY, BRE WNIC 2013 LTC SUB,)
MOSHE M. FEUER a/k/a MARK FEUER,)
FEUER FAMILY TRUST, TAYLOR-LAU)
FAMILY TRUST, SCOTT A. TAYLOR,)
SENIOR HEALTH INSURANCE)
COMPANY OF PENNSYLVANIA,)
FUZION ANALYSTICS, INC., BANKERS)
CONSECO LIFE INSURANCE)
COMPANY, WASHINGTON NATIONAL)
INSURANCE COMPANY, CNO)
FINANCIAL GROUP, INC. 40/86)
ADVISORS, INC., JOHN DOES 1-100,)

Defendants.

WASHINGTON NATIONAL INSURANCE)
COMPANY and BANKERS CONSECO)
LIFE INSURANCE COMPANY,)
)
Cross-Claim Plaintiffs,)
)
v.)
)
MOSHE M. FEUER a/k/a MARK FEUER,)
FEUER FAMILY TRUST, SCOTT A.)
TAYLOR, TAYLOR-LAU FAMILY)
TRUST, BEECHWOOD RE LTD,)
BEECHWOOD RE HOLDINGS, INC.,)
B ASSET MANAGER LP, BAM)
ADMINISTRATIVE SERVICES LLC,)
BEECHWOOD BERMUDA LTD.,)
BEECHWOOD BERMUDA)
INTERNATIONAL, LTD.,)
)
Cross-Claim Defendants.)
)

WASHINGTON NATIONAL INSURANCE)
COMPANY and BANKERS CONSECO)
LIFE INSURANCE COMPANY,)
)
Third-Party Plaintiffs,)
)
v.)
)
MARK NORDLICHT, MURRAY)
HUBERFELD, DAVID BODNER,)
DAVID LEVY, RICK HODGDON, WILL)
SLOTA, DANIEL SMALL, DAVID LEFF,)
NAFTALI MANELA, DAVID)
OTTENSOSER, HOKYONG KIM a/k/a)
STEWART KIM, DANIEL SAKS a/k/a)
DANNY SAKS, PAUL POTEAT, DHRUV)
NARAIN, BEECHWOOD CAPITAL)
GROUP, LLC, PB INVESTMENT)
HOLDINGS LTD., BEECHWOOD RE)
INVESTMENTS, LLC, SERIES A,)
BEECHWOOD RE INVESTMENTS, LLC,)
SERIES B, BEECHWOOD RE)
INVESTMENTS, LLC, SERIES C,)
BEECHWOOD RE INVESTMENTS, LLC,)
SERIES D, BEECHWOOD RE)
INVESTMENTS, LLC, SERIES E,)
BEECHWOOD RE INVESTMENTS, LLC,)
SERIES F, BEECHWOOD RE)
INVESTMENTS, LLC, SERIES G,)
BEECHWOOD RE INVESTMENTS, LLC,)
SERIES H, BEECHWOOD RE)
INVESTMENTS, LLC, SERIES I,)
BEECHWOOD TRUST NO. 1,)
BEECHWOOD TRUST NO. 2,)
BEECHWOOD TRUST NO. 3,)
BEECHWOOD TRUST NO. 4,)
BEECHWOOD TRUST NO. 5,)
BEECHWOOD TRUST NO. 6,)
BEECHWOOD TRUST NO. 7,)
BEECHWOOD TRUST NO. 8,)
BEECHWOOD TRUST NO. 9,)
BEECHWOOD TRUST NO. 10,)
BEECHWOOD TRUST NO. 11,)
BEECHWOOD TRUST NO. 12,)
BEECHWOOD TRUST NO. 13,)
BEECHWOOD TRUST NO. 14,)

David Ottensoser

810 Porter Place
Woodmere, NY 11598-2225

Daniel a/k/a Danny Saks

1285 Mercedes Street
Teaneck, NJ 07666

Hokyong Kim a/k/a Stewart Kim

67 Village Road
Manhasset, NY 11030-3517

Paul Poteat

13032 229th St.
Laurelton, NY 11413

841 Pine Avenue
West Islip NY 11795

Dhruv Narain

3 Stone Bridge Road
Purchase, NY 10577

Beechwood Capital Group, LLC

1370 Avenue of the Americas, 32nd Floor
New York, NY 10019

c/o 99 Washington Plaza - One Commerce Plaza
Albany, NY 12231

PB Investment Holdings Ltd.

4th Floor, Cumberland House
1 Victoria Street
Hamilton HM 11, Bermuda

Beechwood Trust No. 1

c/o U.S. Bank Trust, N.A.
2951 Centerville Road
Wilmington, DE 19808

Beechwood Trust No. 2

c/o U.S. Bank Trust, N.A.
2951 Centerville Road
Wilmington, DE 19808

Beechwood Trust No. 3

c/o U.S. Bank Trust, N.A.
2951 Centerville Road
Wilmington, DE 19808

Beechwood Trust No. 4

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Beechwood Trust No. 11

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Beechwood Trust No. 12

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Beechwood Trust No. 13

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Beechwood Trust No. 14

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Wilmington, DE 19808

Beechwood Trust No. 20

c/o U.S. Bank Trust, N.A.
2951 Centerville Road
Wilmington, DE 19808

Beechwood Re Investments, LLC Series A

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series B

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series C

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series D

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series E

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series F

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series G

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series H

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Beechwood Re Investments, LLC Series I

c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

Lincoln International LLC
444 Madison Avenue, 3rd Floor
New York, NY 10022

c/o Registered Agents, Inc.
99 Washington Avenue, Suite 805A
Albany, NY 12210



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MELANIE L. CYGANOWSKI,

Plaintiff,

Civil Action No. 18-cv-12018

-against-

AFFIDAVIT OF SERVICE

WASHINGTON NATIONAL INSURANCE CO., et al.,

Defendants.

-----X
And All Other Related Action(s)

-----X
STATE OF DELAWARE)
 S.S.:
COUNTY OF NEW CASTLE)

SHARLENE RYAN, being duly sworn, deposes and says that she is over the age of eighteen years, is an agent of the attorney service, D.L.S., INC., and is not a party to this action.

That on the 3rd day of April, 2019, at approximately 2:22 pm, deponent served a true copy of the SUMMONS ON A THIRD-PARTY COMPLAINT; ANSWER, CROSS-CLAIMS AND THIRD PARTY-COMPLAINT OF BANKERS CONSECO LIFE INSURANCE CO. AND WASHINGTON NATIONAL INSURANCE COMPANY; DISCOVERY ORDER DATED JANUARY 24, 2019; ORDER DATED MARCH 26, 2019; PROTECTIVE ORDER DATED MARCH 28, 2019; INDIVIDUAL RULES OF PRACTICE OF HONORABLE JED S. RAKOFF; INDIVIDUAL RULES IN CIVIL CASES OF MAGISTRATE JUDGE ONA T. WANG; AND ELECTRONIC CASE FILINGS RULES & INSTRUCTIONS upon BEECHWOOD TRUST NO. 19 c/o U.S. Bank Trust, NA at 2951 Centerville Road, Wilmington, DE 19808, by personally delivering and leaving the same with JONATHAN CHANG, who informed deponent that he is a Managing Agent and is authorized to receive service at that address.

JONATHAN CHANG is a tan Asian male, approximately 36 years of age, stands approximately 5 feet 7 inches tall, and weighs approximately 155 pounds with black hair.

SHARLENE RYAN
Sworn to before me this
5 day of April, 2019

NOTARY PUBLIC

D.L.S., Inc.
401 Broadway
Suite 510
New York, NY 10013
212-925-1220
www.dlsnational.com