

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 Consec 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 Consec Life Insurance Company

A lawsuit has been filed against defendant Washington National Insurance Company Bankers Consec 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

Handwritten signature and official seal of the United States District Court for the Southern District of New York.

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

RIDER TO SUMMONS ON A THIRD-PARTY COMPLAINT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____)	
)	
IN RE PLATINUM-BEECHWOOD)	
LITIGATION)	
)	18-cv-6658 (JSR)
_____)	
)	
SENIOR HEALTH INSURANCE)	
COMPANY OF PENNSYLVANIA,)	
)	
Plaintiff,)	
)	
v.)	
)	18-cv-6658 (JSR)
BEECHWOOD RE LTD., B ASSET)	
MANAGER, L.P., BEECHWOOD)	
BERMUDA INTERNATIONAL, LTD.,)	
BEECHWOOD RE INVESTMENTS, LLC,)	
a/k/a BEECHWPPD RE INVESTORS, LLC,)	
MOSHE M. FEUER a/k/a MARK FEUER,)	
SCOTT A. TAYLOR, DAVID I. LEVY, and)	
DHRUV NARAIN,)	
)	
Defendants.)	
_____)	

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),

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, DHARUV 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

18-cv-10936 (JSR)

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,

BEECHWOOD TRUST NO. 15,)
 BEECHWOOD TRUST NO. 16,)
 BEECHWOOD TRUST NO. 17,)
 BEECHWOOD TRUST NO. 18,)
 BEECHWOOD TRUST NO. 19,)
 BEECHWOOD TRUST NO. 20,)
 and LINCOLN INTERNATIONAL LLC,)
)
 Third-Party Defendants.)

Mark Nordlicht
 245 Trenor Drive
 New Rochelle, NY 10804

Murray Huberfeld
 15 Manor Lane
 Lawrence, NY 11559

David Bodner
 16 Grosser Lane
 Monsey, NY 10952

David Levy
 80 Riverside Boulevard, Apt. 24C
 New York, NY 10069

Rick Hodgdon
 6 W. Wind Ln.,
 Wilton, CT 06897

Will Slota
 131 S. Maple Drive, Apt. 204
 Beverly Hills, CA 90212

Daniel Small
 229 West 60th Street, Apt. 80
 New York, NY 10023

David Leff
 827 Dorian Court
 Far Rockaway, NY 11691-5205

Naftali Manela
 1638 59th St.
 Brooklyn, NY 11204

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

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

Beechwood Trust No. 5

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

Beechwood Trust No. 6

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

Beechwood Trust No. 7

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

Beechwood Trust No. 8

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

Beechwood Trust No. 9

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

Beechwood Trust No. 10

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

Beechwood Trust No. 11

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

Beechwood Trust No. 12

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

Beechwood Trust No. 13

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

Beechwood Trust No. 14

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

Beechwood Trust No. 15

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

Beechwood Trust No. 16

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

Beechwood Trust No. 17

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

Beechwood Trust No. 18

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

Beechwood Trust No. 19

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

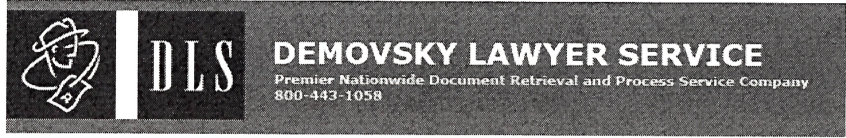
Beechwood Re Investments, LLC Series H
c/o Corporation Service Company
251 Little Falls Drive
New Castle, DE 19808

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*

Melanie L. Cyganowski

Civil Action No. 18-cv-12018
CONSOLIDATED CASE NO. 18-cv-6658

Plaintiff,

AFFIDAVIT OF SERVICE

v.

Washington National Insurance Co., Bankers Conseco
Life Insurance Co., et al.

Defendant, Third-party plaintiff

v.

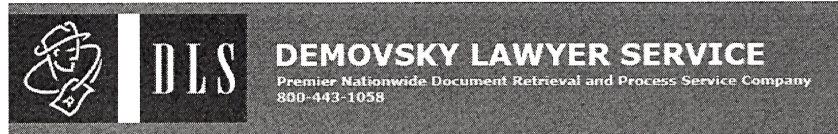
Mark Nordlicht, et al.

Third-party defendant

-----/
STATE OF NEW YORK)
S.S.
COUNTY OF NEW YORK]

EUCLIDE H. DECASTRO, being duly sworn, deposes and says that he is over eighteen years of age, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 10th day of April, 2019, at approximately the time of 9:33am, deponent attempted to serve 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 FILING RULES & INSTRUCTIONS** upon **DANIEL SMALL** at 229 West 60th Street, Apartment 80, New York,

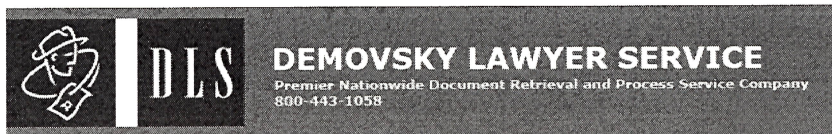


NY 10023 but the person on duty at the front desk was told by the Housekeeper, via phone when he called Apt. 80, that **DANIEL SMALL** was not home.

That on the 15th day of April, 2019, at approximately the time of 6:33pm, deponent again attempted to serve 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 FILING RULES & INSTRUCTIONS** upon **DANIEL SMALL** at 229 West 60th Street, Apartment 80, New York, NY 10023 but there was no answer to the phone when the person on duty at the front desk called Apt. 80.

That on the 16th day of April, 2019, at approximately the time of 3:09pm, deponent again attempted to serve 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 FILING RULES & INSTRUCTIONS** upon **DANIEL SMALL** at 229 West 60th Street, Apartment 80, New York, NY 10023 but there was still no answer to the phone when the person on duty at the front desk called Apt. 80. Deponent was refused access to affix papers to apartment door.

At that time, therefore, deponent served a true copy of the aforementioned papers upon **DANIEL SMALL** by personally delivering and leaving the same with the person on duty at the front desk, **JUSTIN W. (REFUSED TO GIVE LAST NAME)**, a person of suitable age and discretion at that address, the actual place of residence. At the time of service, deponent asked **JUSTIN W.** if **DANIEL SMALL** is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.



JUSTIN W. is a white male, approximately 25 years of age, stands approximately 5 feet 10 inches tall, weighs approximately 180 pounds with blonde hair and brown eyes.

That on the 18th day of April, 2019, deponent served another copy of the foregoing upon **DANIEL SMALL** by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

DANIEL SMALL
229 West 60th Street
Apartment 80
New York, NY 10023

EUCLIDE H. DECASTRO, #2079464

Sworn to before me this
24th day of April, 2019

NOTARY PUBLIC

JONATHAN RIPPS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01RI6109718
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES MAY 17, 2020