

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION	:	18-cv-6658 (JSR)
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MELANIE L. CYGANOWSKI, as Equity Receiver for PLATINUM PARTNERS CREDIT OPPORTUNITIES MASTER FUND LP, <i>et al.</i> ,	:	18-cv-12018 (JSR)
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
BEECHWOOD RE LTD., <i>et al.</i> ,	:	
	:	
Defendants.	:	
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	:	
WASHINGTON NATIONAL INSURANCE COMPANY and BANKERS CONSECO LIFE INSURANCE COMPANY,	:	
	:	
Third-Party Plaintiffs,	:	
	:	
v.	:	
	:	
MARK NORDLICHT, <i>et al.</i> ,	:	
	:	
Third-Party Defendants.	:	
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**NOTICE OF MOTION BY THIRD-PARTY DEFENDANTS
BEECHWOOD TRUST NOS. 7-14 TO DISMISS THE THIRD-PARTY COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, third-party defendants Beechwood Trust Nos. 7-14 (the “Movant Trusts”), by and through their undersigned attorneys, hereby move this Court in the above-captioned action before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New

York, New York 10007, for an order dismissing the Third-Party Complaint (ECF No. 75)¹ of third-party plaintiffs Washington National Insurance Company (“WNIC”) and Bankers Consec Life Insurance Company (“BCLIC,” and, together with WNIC, “Consec”) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted (the “Motion”).

In accordance with Rule 2(d) of the Individual Rules of Practice before this Court, the Movant Trusts respectfully set forth the following:

1. Consec’s opposition to the Motion shall be filed on or before June 12, 2019;
2. Reply memoranda shall be filed on or before June 26, 2019; and
3. Argument on this Motion will be heard on July 1, 2019 at 10:00 a.m.

Dated: May 15, 2019
New York, New York

Respectfully submitted,

CURTIS, MALLET-PREVOST,
COLT & MOSLE LLP

By: /s/ Eliot Lauer

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¹ ECF citations refer to the *Cyganowski* docket, 18-cv-12018 (JSR).