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*Attorneys for Third-Party Defendant David Ottensoser*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION,

:  
: Index No. 18-CV-6658 (JSR)  
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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 FLIND LLC,  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND  
INTERNATIONAL LTD., PLATINUM  
PARTNERS CREDIT OPPORTUNITIES  
FLIND INTERNATIONAL (A) LTD., and  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND (BL) LLC,

:  
: Index No. 18-CV-12018 (JSR)  
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**NOTICE OF PARTIAL  
MOTION TO DISMISS THIRD-  
PARTY COMPLAINT OF  
BANKERS CONSECO LIFE  
INSURANCE COMPANY AND  
WASHINGTON NATIONAL  
INSURANCE COMPANY**

Plaintiffs,

v.

BEECHWOOD RE LTD., *et al.*,

Defendants.

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**PLEASE TAKE NOTICE**, upon the accompanying Memorandum of Law in Support of  
David Ottensoser’s Partial Motion to Dismiss the Third-Party Complaint of Bankers Conseco

Life Insurance Company and Washington National Insurance Company (the “Motion”), and upon all papers and proceedings had herein, Defendant David Ottensoser (“Ottensoser”) will move this court before the Honorable Jed S. Rakoff, at the United States Courthouse, for the Southern District of New York, located at 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(6), dismissing Counts One, Two, Eighteen, and Nineteen of the Third-Party Complaint (ECF No. 204) with prejudice for failure to state a claim upon which relief can be granted.

In accordance with Rule 2(d) of the Individual Rules of Practice before this Court and the Order governing the Third-Party Complaint schedule to answer or dismiss the claims (ECF No. 253), Ottensoser respectfully sets forth the following:

1. Third-Party Plaintiffs’ 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 am.

Dated: May 15, 2019

/s/ Eric M. Creizman  
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