

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

Master Docket No. 1:18-cv-06658-JSR

MARTIN TROTT and CHRISTOPER 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),

Case No. 1:18-cv-10936-JSR

Plaintiffs,

**NOTICE OF DEFENDANT
HUBERFELD FAMILY
FOUNDATION, INC.'S
MOTION TO DISMISS THE
FIRST AMENDED COMPLAINT**

-v-

PLATINUM MANAGEMENT (NY) LLC,
et al.,

Defendants.

PLEASE TAKE NOTICE that Defendant Huberfeld Family Foundation, Inc., upon the Declaration of Donald H. Chase, dated February 4, 2019, with its exhibits, and the accompanying Memorandum of Law, will move, by and through its undersigned counsel, before the Honorable Jed S. Rakoff, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., Courtroom 14B, New York, New York 10007, at such date as the Court will determine, for an Order pursuant to Fed. R. Civ. P. 12(b)(1) and (6) dismissing with prejudice the First Amended Complaint (ECF No. 156) of Plaintiffs Martin Trott and Christopher Smith, as the Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation).

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 2(d) of the Individual Rules of Practice before this Court, Defendant Huberfeld Family Foundation, Inc. respectfully sets forth the following in accordance with the Court's January 24, 2019 Order:

- Plaintiffs must file their answering papers (if any) by February 11, 2019;
- Defendants must file their reply papers (if any) by February 15, 2019;
- Oral argument on the group motions to dismiss shall be heard on February 25, 2019 at 3:00 p.m.

Dated: New York, New York
February 4, 2019

Respectfully submitted,

MORRISON COHEN LLP

By: /s/ Donald H. Chase

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To (via ECF): All counsel of record