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*Attorney for Cross-Claim Defendants Mark Feuer,
the Feuer Family Trust, Scott Taylor, the Taylor-Lau Family Trust,
Beechwood Re Holdings, Inc., B Asset Manager LP,
BAM Administrative Services LLC, Beechwood Bermuda Ltd.,
and Beechwood Bermuda International, Ltd.,
and Third-Party Defendants Dhruv Narain
and Beechwood Capital Group LLC*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION	:	
	:	18-cv-06658 (JSR)
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MELANIE L. CYGANOWSKI,	:	
	:	
Plaintiffs,	:	18-cv-12018 (JSR)
	:	
-v-	:	
	:	
BEECHWOOD RE LTD., et al.,	:	
	:	
Defendants.	::::	
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NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that Cross-Claim Defendants Mark Feuer, the Feuer Family Trust, Scott Taylor, the Taylor-Lau Family Trust, Beechwood Re Holdings, Inc., B Asset Manager LP, BAM Administrative Services LLC, Beechwood Bermuda Ltd., and Beechwood Bermuda International, Ltd., and Third-Party Defendants Dhruv Narain and Beechwood Capital Group LLC (together, the “Beechwood Parties”), upon the accompanying Memorandum of Law and the Declaration of Ira S. Lipsius (with exhibits), dated May 16, 2019, will move, by and

through their 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 12(b)(6) partially dismissing with prejudice the Cross-Claims and Third-Party Complaint of Bankers Conesco Life Insurance Company and Washington National Insurance Company (together, "CNO") as follows: all civil RICO claims against the Beechwood Parties, all claims for contribution and indemnification against the Beechwood Parties, all claims for unjust enrichment against the Beechwood Parties, the breach of contract claim against Beechwood Re, and the claims of fraudulent inducement, fraud, and breach of fiduciary duty against Narain. Cross-Claim Defendant Beechwood Re (in Official Liquidation) s/h/a Beechwood Re Ltd. further moves to compel CNO to arbitrate Counts 10 and 18 of the Cross-Claims pursuant to Section 4 of the Federal Arbitration Act.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's April 17, 2019 Order: (1) Plaintiffs must file their answering papers (if any) by June 12, 2019; (2) Defendants must file their reply papers by June 26, 2019; and (3) Oral argument on the motions to dismiss shall be heard on July 1, 2019 at 10:00 a.m.

Dated: May 16, 2019
New York, New York

LIPSIUS BENHAIM LAW LLP

By: /s/ Ira S. Lipsius
Ira S. Lipsius

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Attorney for Cross-Claim Defendants Mark Feuer, the Feuer Family Trust, Scott Taylor, the Taylor-Lau Family Trust, Beechwood Re Holdings, Inc., B Asset Manager LP, BAM Administrative Services LLC, Beechwood Bermuda Ltd., and Beechwood Bermuda International, Ltd., and Third-Party Defendants Dhruv Narain and Beechwood Capital Group LLC

To: All counsel of record (via ECF)