

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

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,

Plaintiffs,

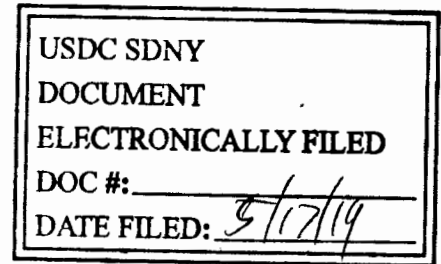
v.

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.

No. 18-CV-6658 (JSR)

No. 18-CV-12018 (JSR)



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.

STIPULATION AND PROPOSED ORDER

WHEREAS, on March 15, 2019, the Court ordered that the deadline for “defendants in this case who are also standing trial, or are set to stand trial, in a related criminal matter in the Eastern District of New York [(“E.D.N.Y. Defendants”)] . . . to answer or move to dismiss (if they have not done so already) is [] extended until two weeks following the completion of their trial.” (Dkt. 183¹).

WHEREAS, on March 25, 2019, the Court so-ordered the stipulation and proposed order of Naftali Manela (“Manela”) and Plaintiffs Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and for Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation), which stated “Manela’s . . . time to respond to the Amended Complaint should be the same as the E.D.N.Y. Defendants.” (Dkt. 200). Manela’s time to respond was extended to two weeks after the completion of the criminal trial, already pending in the Eastern District of New York. (Dkt. 200).

WHEREAS, on March 27, 2019, Washington National Insurance Company (“WNIC”) and Bankers Conesco Life Insurance Company (“BCLIC”) filed a redacted copy of their cross-claims and third party claims in Case No. 18-CV-12018 (“3d Party Compl.”), naming Manela as a third party defendant. (Dkt. 204).

WHEREAS, on April 4, 2019, Manela was served with the unredacted 3d Party Compl.

WHEREAS, on April 18, 2019, the Court set the deadline to respond to the 3d Party Compl for May 15, 2019. (Dkt. 253).

¹ Unless otherwise noted, all citations reference documents filed in Case No. 18-CV-6658.

WHEREAS, on April 22, 2019, the Court reiterated that “deadlines to answer or move to dismiss [the 3d Party Compl.] do not apply to the [E.D.N.Y. D]efendants” (Dkt. 264). “The deadline for these defendants to answer or move to dismiss (if they have not done so already) is extended until two weeks following the completion of trial.” (Dkt. 264).

WHEREAS, on May 8, 2019, Manela filed a joint stipulation and proposed order whereby Manela and Cross-Claimant Bernard Fuchs (“Fuchs”) agreed that “Manela’s . . . time to respond to the Cross-Claims should be the same as the E.D.N.Y. Defendants.” (Dkt. 314). Accordingly, the parties agreed that Manela’s time to respond should be extended to two weeks after the completion of the criminal trial, already pending in the Eastern District of New York. (Dkt. 314).

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, that Manela’s time to respond to the 3d Party Compl. should be the same as the E.D.N.Y. Defendants Mark Nordlicht, David Levy, and Joseph SanFilippo. Accordingly, it is agreed that the deadline for Manela to answer or move to dismiss the 3d Party Compl. is extended until two weeks following completion of the trial pending in the Eastern District of New York against defendants Mark Nordlicht, David Levy, and Joseph SanFilippo.

IT IS FURTHER STIPULATED AND AGREED, that no provision of this Stipulation and Order shall be construed as a waiver of any party’s claims or defenses, which each party reserves.

Date: New York, New York
May 14, 2019

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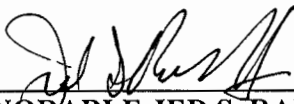
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SO ORDERED:



HONORABLE JED S. RAKOFF
UNITED STATES DISTRICT JUDGE

5-14-19