AO 441 (Rev. 07/10) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Melanie L. Cyganowski Plaintiff v. Washington National Insurance Co., Bankers Conseco Life Insurance Co., et al. Defendant, Third-party plaintiff v. Mark Nordlicht, et al.

Third-party defendant

Civil Action No. 18-cv-12018 CONSOLIDATED CASE NO. 18-cv-6658

SEE ATTACHED RIDER FOR FULL CASE CAPTIONS

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (*Third-party defendant's name and address*)

SEE ATTACHED RIDER

Washington National Insurance Company

Bankers Conseco Life Insurance Company , who as third-party plaintiff is making A lawsuit has been filed against defendant this claim against you to pay part or all of what the defendant may owe to the plaintiff Melanie L. Cyganowski

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Adam J. Kaiser Alston & Bird LLP 90 Park Avenue, New York, NY 10016

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Adam Silverstein, Otterbourg P.C., 230 Park Ave., New York, NY 10169

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

3/28/2019 Date:



CLERK OF COURT

/s/ P. Canales

Signature of Clerk or Deputy Clerk

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Civil Action No. 18-cv-12018

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

		e of individual and title, if any)						
was re	ceived by me on (date)	·						
	□ I personally served the summons on the individual at (<i>place</i>)							
			on (date)	; or				
□ I left the summons at the individual's residence or usual place of abode with (<i>name</i>)								
	, a person of suitable age and discretion who resides there,							
	ſ							
□ I served the summons on (<i>name of individual</i>)								
	f of (name of organization)							
			on (date)	; or				
	\Box I returned the summ	nons unexecuted because		; or				
□ Other (specify):								
	My fees are \$	for travel and \$	for services, for a total of \$	0.00				
	I declare under penalty of perjury that this information is true.							
Date:								
Date.			Server's signature					
			Printed name and title					
			Server's address					

Additional information regarding attempted service, etc:

RIDER TO SUMMONS ON A THIRD-PARTY COMPLAINT

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION)))) 18-cv-6658 (JSR))
SENIOR HEALTH INSURANCE COMPANY OF PENNSYLVANIA,)))
Plaintiff,)
V.)
) 18-cv-6658 (JSR)
BEECHWOOD RE LTD., B ASSET)
MANAGER, L.P., BEECHWOOD)
BERMUDA INTERNATIONAL, LTD.,)
BEECHWOOD RE INVESTMENTS, LLC,)
a/k/a BEECHWPPD RE INVESTORS, LLC,)
MOSHE M. FEUER a/k/a MARK FEUER,)
SCOTT A. TAYLOR, DAVID I. LEVY, and)
DHRUV NARAIN,)
Defendants.)

MARTIN TROTT and CHRISTOPHER 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),)))))))))))))))))))
Plaintiffs,)
V.)
PLATINUM MANAGEMENT (NY) LLC, MARK NORDLICHT, DAVID LEVY, ESTATE OF URI LANDESMAN, MURRAY HUBERFELD, DAVID BODNER, DANIEL SMALL, JOSEPH SANFILIPPO, DAVID OTTENSOSER, BERNARD FUCHS, MICHAEL NORDLICHT, MICHAEL KATZ, KEVIN CASSIDY, SETH GERSZBERG, EZRA BEREN, NAFTALI MANELA, DANIEL SAKS, MOSHE M. FEUER a/k/a MARK FEUER, SCOTT TAYLOR, DHRUV NARAIN, PLATINUM PARTNERS BLACK ELK OPPORTUNITIES FUND LLC, PLATINUM PARTNERS BLACK ELK OPPORTUNITIES FUND INTERNATIONAL LTD., MORRIS FUCHS, LEON MYERS, MN CONSULTING NY LLC, ESTATE OF JULES NORDLICHT, ESTATE OF SOLOMON ENGLANDER, ESTATE OF GERTRUDE ENGLANDER, ROCKWELL FULTON CAPITAL, DITMAS PARK CAPITAL L.P., PLATINUM F.I. GROUP, LLC, FCBA TRUST, AARON PARNES, SARAH PARNES, SHMUEL FUCHS FOUNDATION, SOLOMON WEDIGER, OLIVE TREE HOLDINGS, LLC, MERIDIAN CAPITAL FOUNDATION, HUANG LAI TSU HSIA, HUBERFELD FAMILY FOUNDATION, MIND, BODY AND SOUL CO. LIMITED, TWOSONS CORPORATION, GRD ESTATES LTD., B	

ASSET MANAGER LP, B ASSET MANAGER II LP, BEECHWOOD RE INVESTMENTS, LLC, BEECHWOOD RE HOLDINGS, INC., BEECHWOOD RE LTD., BEECHWOOD BERMUDA INTERNATIONAL LTD., BAM ADMINISTRATIVE SERVICES LLC, ILLUMIN CAPITAL MANAGEMENT LP, BRE BCLIC PRIMARY, BRE BCLIC SUB, BRE WNIC 2013 LTC PRIMARY, BRE WNIC LTC SUB, BBIL ULICO 2014 TRUST, 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. 15, BEECHWOOD TRUST NO. 16, BEECHWOOD TRUST NO. 17, BEECHWOOD TRUST NO. 18, BEECHWOOD TRUST NO. 19. BEECHWOOD TRUST NO. 20,** 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, JOHN DOES 1-100, MEADOWS CAPITAL LLC, ABRAHAM C. GROSSMAN, DAVID GICHTIN, ORA GICHTIN, GOLDA WILK, THE ESTATE OF MARCOS KATZ, ADELA KATZ, ROCKWELL FULTON CAPITAL, L.P.

Defendants.

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,) 18-cv
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	Ś
INSURANCE COMPANY, CNO)
FINANCIAL GROUP, INC. 40/86)
ADVISORS, INC., JOHN DOES 1-100,)
)
Defendants.)
Doronaunto.)
	. /

18-cv-12018 (JSR)

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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.

Mark Nordlicht

245 Trenor Drive New Rochelle, NY 10804

Murray Huberfeld

15 Manor Lane Lawrence, NY 11559

David Bodner

16 Grosser Lane Monsey, NY 10952

David Levy

80 Riverside Boulevard, Apt. 24C New York, NY 10069

Rick Hodgdon

6 W. Wind Ln., Wilton, CT 06897

Will Slota

131 S. Maple Drive, Apt. 204 Beverly Hills, CA 90212

Daniel Small

229 West 60th Street, Apt. 80 New York, NY 10023

David Leff

827 Dorian Court Far Rockaway, NY 11691-5205

Naftali Manela

1638 59th St. Brooklyn, NY 11204

David Ottensoser

810 Porter Place Woodmere, NY 11598-2225

Daniel a/k/a Danny Saks

1285 Mercedes Street Teaneck, NJ 07666

Hokyong Kim a/k/a Stewart Kim

67 Village Road Manhasset, NY 11030-3517

Paul Poteat

13032 229th St. Laurelton, NY 11413

841 Pine Avenue West Islip NY 11795

Dhruv Narain

3 Stone Bridge Road Purchase, NY 10577

Beechwood Capital Group, LLC

1370 Avenue of the Americas, 32nd Floor New York, NY 10019

c/o 99 Washington Plaza - One Commerce Plaza Albany, NY 12231

PB Investment Holdings Ltd.

4th Floor, Cumberland House 1 Victoria Street Hamilton HM 11, Bermuda

Beechwood Trust No. 1

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 2

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 3

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 4

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 5

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 6

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 7

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 8

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 9

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 10

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 11

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 12 c/o U.S. Bank Trust, N.A.

2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 13

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 14

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 15

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 16

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 17

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 18

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 19

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Trust No. 20

c/o U.S. Bank Trust, N.A. 2951 Centerville Road Wilmington, DE 19808

Beechwood Re Investments, LLC Series A

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series B

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series C

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series D

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series E

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series F

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series G

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series H

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808

Beechwood Re Investments, LLC Series I

c/o Corporation Service Company 251 Little Falls Drive New Castle, DE 19808 **Lincoln International LLC** 444 Madison Avenue, 3rd Floor New York, NY 10022

c/o Registered Agents, Inc. 99 Washington Avenue, Suite 805A Albany, NY 12210 Case 1:18-cv-12018-JSR Document 235 Filed 05/29/19 Page 15 of 18



DEMOVSKY LAWYER SERVICE

----X

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MELANIE L. CYGANOWSKI,

Plaintiff,

Civil Action No. 18-cv-12018

-against-

AFFIDAVIT OF SERVICE

WASHINGTON NATIONAL INSURANCE CO., et al.,

Defendants.

-----X And All Other Related Action(s)

-----X

STATE OF CALIFORNIA) S.S.: COUNTY OF LOS ANGELES)

BONITA HALLER, being duly sworn, deposes and says that she is over the age of eighteen years, is an agent of the attorney service, D.L.S., INC., and is not a party to this action.

That on the 7th day of May, 2019, at approximately 5:03 pm, deponent served a true copy of the SUMMONS ON A THIRD-PARTY COMPLAINT; ANSWER, CROSS-CLAIMS AND THIRD-PARTY COMPLAINT OF BANKERS CONSECO LIFE INSURANCE CO. AND WASHINGTON NATIONAL INSURANCE COMPANY; DISCOVERY ORDER DATED JANUARY 24, 2019; ORDER DATED MARCH 26, 2019; PROTECTIVE ORDER DATED MARCH 28, 2019; INDIVIDUAL RULES OF PRACTICE OF HONORABLE JED S. RAKOFF; INDIVIDUAL RULES IN CIVIL CASES OF MAGISTRATE JUDGE ONA T. WANG; and ELECTRONIC CASE FILING RULES & INSTRUCTIONS upon WILL SLOTA at Tixr, 225 Santa Monica Blvd., Suite 200, Santa Monica, CA 90401, by personally delivering and leaving the same with WILL SLOTA at that address. At the time of service, deponent asked WILL SLOTA whether he is in active military service for the United States of America or for any state in the United States in any capacity whatever or dependent upon a person in active military service and received a negative reply.

D.L.S., Inc. 401 Broadway Suite 510 New York, NY 10013 212-925-1220 www.dlsnational.com

Case 1:18-cv-12018-JSR Document 235 Filed 05/29/19 Page 16 of 18 DLS WILL SLOTA is a white male, approximately 50-55 years of age, stands approximately 6 feet 2 inches tall, and weighs approximately 180 pounds with salt and pepper hair and hazel eyes. Bonita Halli **BONITA HALLER** ESAI LOPEZ COMM. 2193355 Sworn to before me this NOTARY PUBLIC CALIFORNIA day of May, 2019 KI Los Angeles County My Comm. Expires April 23, 2021 NOTARY PUBLIC D.L.S., Inc. 401 Broadway New York, NY 10013 212-925-1220 www.dlsnational.com

Suite 510

DIS DEMOVSKY L DIS DEMOVSKY L Premier Nationwide Docume 800-443-1058	AWYER SERVICE ent Retrieval and Process Service Company					
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK						
MELANIE L. CYGANOWSKI,						
Plaintiff,	/ Civil Action No. 18-cv-12018					
-against-	AFFIDAVIT OF MAILING					
WASHINGTON NATIONAL INSURANCE CO., et al.,						
Defendants.						
And All Other Related Action(s)						
STATE OF NEW YORK) S.S. COUNTY OF NEW YORK)						

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SHIRLEY CHEN, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 7th day of May, 2019, deponent served a true copy of the SUMMONS ON A THIRD-PARTY COMPLAINT; ANSWER, CROSS-CLAIMS AND THIRD-PARTY COMPLAINT OF BANKERS CONSECO LIFE INSURANCE CO. AND WASHINGTON NATIONAL INSURANCE COMPANY; DISCOVERY ORDER DATED JANUARY 24, 2019; ORDER DATED MARCH 26, 2019; PROTECTIVE ORDER DATED MARCH 28, 2019; INDIVIDUAL RULES OF PRACTICE OF HONORABLE JED S. RAKOFF; INDIVIDUAL RULES IN CIVIL CASES OF MAGISTRATE JUDGE ONA T. WANG; and ELECTRONIC CASE FILING RULES & INSTRUCTIONS upon WILL SLOTA by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

D.L.S., Inc. 401 Broadway Suite 510 New York, NY 10013 212-925-1220 www.dlsnational.com

Case 1:18-cv-12018-JSR Document 235 Filed 05/29/19 Page 18 of 18 DEMOVSKY LAWYER SERVICE Premier Nationwide Document Retrieval and Process Service Con 800: 443-1058 DLS

Will Slota Tixr 225 Santa Monica Blvd. Suite 200 Santa Monica, CA 90401

SHIRLEY CHEN Sworn to before me this

8th day of May, 2019

NOTARY PUBLIC

JONATHAN RIPPS NOTARY PUBLIC, STATE OF NEW YORK NO. 01Ri6109718 QUALIFIED IN NEW YORK COUNTY COMMISSION EXPIRES MAY 17, 2020

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D.L.S., Inc. 401 Broadway Suite 510 New York, NY 10013 212-925-1220 www.dlsnational.com