

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-v- :

No. 16-cv-6848 (DLI)(VMS)

PLATINUM MANAGEMENT (NY) LLC; :
PLATINUM CREDIT MANAGEMENT, L.P.; :
MARK NORDLICHT; :
DAVID LEVY; :
DANIEL SMALL; :
URI LANDESMAN; :
JOSEPH MANN; :
JOSEPH SANFILIPPO; and :
JEFFREY SHULSE, :

NOTICE OF MOTION

Defendants. :
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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Melanie L. Cyganowski, executed August 15, 2017, the accompanying Memorandum of Law, and all prior proceedings had herein, Melanie L. Cyganowski, the Receiver duly appointed by the Court (the “*Receiver*”) for Platinum Credit Management, L.P., Platinum Partners Credit Opportunities Master Fund LP, Platinum Partners Credit Opportunities Fund (TE) LLC, Platinum Partners Credit Opportunities Fund LLC, Platinum Partners Credit Opportunity Fund (BL) LLC, Platinum Liquid Opportunity Management (NY) LLC, and Platinum Partners Liquid Opportunity Fund (USA) L.P. (the “*Receivership Entities*”), the Receiver, through her undersigned counsel, hereby moves this Court before the Honorable Dora L. Irizarry, United States Chief District Judge for the United States District Court for the Eastern District of New York, located at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, on for an order approving the Stipulation and [Proposed] Order Regarding

Settlement Between the Receiver and Heartland Bank, and for such other and further relief as the Court deems appropriate (the “*Motion*”).

PLEASE TAKE FURTHER NOTICE that any opposition to the Motion must be (i) made in writing; (ii) if by a party, electronically filed with the District Court; (iii) if by a non-party, electronically mailed to counsel for the Receiver, c/o Adam C. Silverstein, Otterbourg P.C., 230 Park Avenue, New York, NY 10169, asilverstein@otterbourg.com, so as to be actually received no later than **August 22, 2017**.

PLEASE TAKE FURTHER NOTICE that, in the absence of any timely filed or served written opposition, the Court may approve the Stipulation and [Proposed] Order Regarding Settlement Between the Receiver and Heartland Bank, without further hearing or notice.

Dated: August 15, 2017

OTTERBOURG P.C.

By: Adam C. Silverstein
Adam C. Silverstein
A Member of the Firm
230 Park Avenue
New York, New York 10169
Tel.: (212) 661-9100
Fax: (212) 682-6104
asilverstein@otterbourg.com

Attorneys for Melanie L. Cyganowski, as Receiver