

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION	:	18-cv-6658 (JSR)
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MELANIE L. CYGANOWSKI, as Equity Receiver for PLATINUM PARTNERS CREDIT OPPORTUNITIES MASTER FUND LP, <i>et al.</i> ,	:	18-cv-12018 (JSR)
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
BEECHWOOD RE LTD., <i>et al.</i> ,	:	
	:	
Defendants.	:	
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	:	
SENIOR HEALTH INSURANCE COMPANY OF PENNSYLVANIA,	:	
	:	
Third-Party Plaintiff,	:	
	:	
v.	:	
	:	
PB INVESTMENT HOLDINGS LTD., <i>et al.</i> ,	:	
	:	
Third-Party Defendants.	:	
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**NOTICE OF MOTION BY THIRD-PARTY DEFENDANTS
BEECHWOOD TRUST NOS. 7-14, MONSEY EQUITIES, LLC, AND BEECHWOOD RE
INVESTMENTS, LLC SERIES C TO DISMISS THIRD-PARTY COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, third-party defendants Beechwood Trust Nos. 7-14, Monsey Equities, LLC, and Beechwood Re Investments, LLC Series C (collectively, the “Moving Defendants”), by and through their undersigned attorneys, hereby move this Court in the above-captioned action before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York at

the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an order dismissing the Third-Party Complaint (ECF No. 195)¹ of third-party plaintiff Senior Health Insurance Company of Pennsylvania (“SHIP”) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted (the “Motion”).

In accordance with Rule 2(d) of the Individual Rules of Practice before this Court, the Moving Defendants respectfully set forth the following:

1. SHIP’s opposition to the Motion shall be filed on or before June 28, 2019;
2. Reply memoranda shall be filed on or before July 12, 2019; and
3. Argument on this Motion will be heard on July 26, 2019, at 10:00 a.m.

Dated: June 14, 2019
New York, New York

Respectfully submitted,

CURTIS, MALLET-PREVOST,
COLT & MOSLE LLP

By: /s/ Eliot Lauer

Eliot Lauer
Gabriel Hertzberg
101 Park Avenue
New York, New York 10178
Tel.: (212) 696-6000
Fax: (212) 697-1559
Email: elauer@curtis.com
ghertzberg@curtis.com

*Attorneys for Third-Party Defendants
Beechwood Trust Nos. 7-14, Monsey Equities, LLC,
and Beechwood Re Investments, LLC Series C*

¹ ECF citations refer to the *Cyganowski* docket, 18-cv-12018 (JSR).