

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

Case No. 1:18-cv-6658-JSR

MELANIE L. CYGANOWSKI, AS RECEIVER,  
BY AND FOR PLATINUM PARTNERS CREDIT  
OPPORTUNITIES MASTER FUND LP, *et al.*,

Case No. 1:18-cv-12018 (JSR)

Plaintiffs,

**NOTICE OF MOTION TO DISMISS**

v.

BEECHWOOD RE LTD., *et al.*,

Defendants.

SENIOR HEALTH INSURANCE COMPANY OF  
PENNSYLVANIA,

Third-Party Plaintiff,

v.

PB INVESTMENT HOLDINGS LTD., *et al.*

Third-Party Defendants.

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, and all prior pleadings and proceedings had herein, Third-Party Defendants Michael Nordlicht and Kevin Cassidy hereby move this Court before the Honorable Jed S. Rakoff, U.S. District Judge for the Southern District of New York at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, pursuant to Fed. R. Civ. P. Rules 9(b) and 12(b)(6), for an order to dismiss the third-party claims asserted against them in the Answer of Senior Health Insurance Company of Pennsylvania (“SHIP”) and Fuzion Analytics,

Inc. and Crossclaims, and Third-Party Complaint of SHIP, with prejudice on the grounds that the Third-Party Complaint fails to state claims upon which relief may be granted against them.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with the Court's June 12, 2019 direction:

1. Opposition papers, if any, shall be filed on or before June 28, 2019.
2. Reply papers, if any, shall be filed on or before July 12, 2019.
3. Oral argument on this motion will be heard on July 26, 2019 at 10:00 A.M.

Dated: New York, New York  
June 14, 2019

**MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
AND POPEO, P.C.**

By: /s/ Therese M. Doherty

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