

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PLATINUM-BEECHWOOD LITIGATION	:	18-cv-06658 (JSR)
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MELANIE L. CYGANOWSKI,	:	
	:	
Plaintiff,	:	18-cv-12018 (JSR)
	:	
-v-	:	
	:	
BEECHWOOD RE LTD., et al.,	:	
	:	
Defendants.	:	
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**DECLARATION OF CHERYL D. LIPSIOUS IN SUPPORT OF BEECHWOOD’S
MOTION TO DISMISS SHIP’S CROSS-CLAIMS AND THIRD-PARTY COMPLAINT**

I, Cheryl D. Lipsius, hereby declare and state as follows:

1. I am an attorney with the law firm Lipsius Benhaim Law LLP, counsel for Cross-Claim Defendants B Asset Manager LP, B Asset Manager II LP, BAM Administrative Services LLC, Beechwood Re Ltd., Beechwood Re Holdings, Inc., Beechwood Bermuda Ltd., Beechwood Bermuda International Ltd., Feuer Family Trust, and Taylor-Lau Family Trust, and Third-Party Defendants B Asset Manager GP LLC, B Asset Manager II GP, LLC, MSD Administrative Services LLC, N Management LLC, Beechwood Global Distribution Trust, Feuer Family 2016 Acq Trust, Taylor-Lau Family 2016 Acq Trust, and Beechwood Capital Group LLC.

2. I submit this declaration, together with the attached exhibit, in support of Beechwood’s motion to dismiss the Cross-Claims and Third-Party Complaint (the “TPC”) of Third-Party Plaintiff Senior Health Insurance Company of Pennsylvania (“SHIP”).

3. Attached hereto as Exhibit A is an email, dated April 5, 2019, concerning SHIP's application to delay briefing on Beechwood's advancement motion so that it could cross-move for summary judgment.

4. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 14, 2019, in Kew Gardens, New York.

/s/ Cheryl D. Lipsius

Cheryl D. Lipsius

EXHIBIT A

From: [Benjamin Gifford@nysd.uscourts.gov](mailto:Benjamin_Gifford@nysd.uscourts.gov) <[Benjamin Gifford@nysd.uscourts.gov](mailto:Benjamin_Gifford@nysd.uscourts.gov)>
Sent: Friday, April 5, 2019 12:02 PM
To: ellen.dew@dlapiper.com; brian.seibert@dlapiper.com; Harris, Mark D. <MHarris@proskauer.com>
Subject: SHIP v. Beechwood Re, 18-cv-6658

Counsel,

Apologies for missing your call earlier.

The Judge has denied SHIP's application. We will move forward with the current briefing schedule on defendants' motion for summary judgment, which was set on an expedited basis given the circumstances then before the Court. SHIP will not be prejudiced from bringing any motions - whether a motion to dismiss or a motion for summary judgment - and we can discuss a briefing schedule for any such motions at the May 1 argument on defendants' motion.

Best,

Ben

Ben Gifford
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U.S. District Court for the Southern District of New York
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