

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 : 18-cv-12018 (JSR)  
: PLATINUM PARTNERS CREDIT OPPORTUNITIES :  
: MASTER FUND LP, *et al.*, :  
:

Plaintiffs,

v.

BEECHWOOD RE LTD., *et al.*,

Defendants.

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: WASHINGTON NATIONAL INSURANCE COMPANY and :  
: BANKERS CONSECO LIFE INSURANCE COMPANY, :  
:

Third-Party Plaintiffs,

v.

MARK NORDLICHT, *et al.*,

Third-Party Defendants.

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**DECLARATION OF BETSY FEUERSTEIN**

BETSY FEUERSTEIN, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an associate at Curtis, Mallet-Prevost, Colt & Mosle LLP (“Curtis”), counsel for third-party defendant David Bodner. I am admitted to practice law in New York.

2. Annexed as Exhibit A is a true and correct copy of an email sent on June 16, 2019 by Gabriel Hertzberg of Curtis to Adam Kaiser and John Aerni, counsel for third-party plaintiffs Washington National Insurance Company and Bankers Consecoco Life Insurance Company.

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

Dated: New York, New York  
Executed on June 26, 2019

By:   
Betsy Feuerstein

**Hertzberg, Gabriel**

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**From:** Hertzberg, Gabriel  
**Sent:** Sunday, June 16, 2019 4:45 PM  
**To:** Adam Kaiser; John Aerni  
**Cc:** Lauer, Eliot  
**Subject:** Conseco/Bodner

Hello Adam,

We write on behalf of third party defendants David Bodner and Beechwood Trust Nos. 7-14.

In their omnibus opposition brief, BCLIC and WNIC (“Conseco”) ask the court for the opportunity to re-plead their third-party complaint if the court finds it defective. Given our tight case schedule, the amount of time Conseco has had to develop these claims, and the oral argument scheduled for July 11, we will oppose any effort to re-plead. If, however, Conseco has additional facts that it wishes to plead with respect to David Bodner and Beechwood Trust Nos. 7-14, we propose that you provide those facts in a supplemental pleading, delivered by close of business on Tuesday, June 18. We will then address those additional facts in our reply brief due June 26.

Regards,  
Gabe

Gabriel Hertzberg  
Partner

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