

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION,

Civil Action No.
1:18-cv-06658 (JSR)

WASHINGTON NATIONAL INSURANCE COMPANY
and BANKERS CONSECO LIFE INSURANCE
COMPANY,

Cross-Claim and Third-Party Plaintiffs,

Civil Action No.
1:18-cv-12018 (JSR)

v.

PLATINUM MANAGEMENT (NY) LLC, et al.,

Cross-Claim and Third-Party Defendants.

**DECLARATION OF ADAM J. KAISER IN FURTHER SUPPORT OF BANKERS
CONSECO LIFE INSURANCE COMPANY'S AND WASHINGTON NATIONAL
INSURANCE COMPANY'S MOTION TO ENFORCE STATE SECURITY STATUTES**

I, Adam J. Kaiser, declare and state as follows:

1. I am a partner at Alston & Bird LLP, counsel to Bankers Conseco Life Insurance Company and Washington National Insurance Company (collectively, "Movants") in the above-captioned consolidated action.

2. I make this Declaration, of my own personal knowledge and based upon the documents in my possession referred to herein, in support of Movants' motion for security under New York's and Indiana's security statutes.

3. A true and correct copy of

[REDACTED]
[REDACTED] in the arbitration captioned *Bankers*

Conseco Life Insurance Company and Washington National Insurance Company v.

Beechwood Re Limited et al., AAA Case No. 01-16-0004-02510 (the “Arbitration”), is attached hereto as **Exhibit A**.

4. A true and correct copy of [REDACTED]

[REDACTED] is attached hereto as **Exhibit B**.

5. A true and correct copy of the [REDACTED]

[REDACTED] is attached hereto as **Exhibit C**.

6. A true and correct copy of an email dated July 1, 2014 from Alexis Northwood to various Platinum employees, which was produced by the Receiver in the above-captioned consolidated actions bearing the Bates No. CTRL5104415, is attached hereto as **Exhibit D**.

7. A true and correct copy of an email dated June 14, 2013 from David Levy to Scott Taylor including the PowerPoint presentation attached thereto, which was produced by the Receiver in the above-captioned consolidated actions bearing the Bates Nos. CTRL4369191–CTRL4369192, is attached hereto as **Exhibit E**.

8. A true and correct copy of an email dated March 9, 2015 from Joshua Kramer-Eisenbud to Mark Nordlicht, copying Harvey Weblowsky and David Levy, which was produced by the Receiver in the above-captioned consolidated actions bearing the Bates No. CTRL6520445, is attached hereto as **Exhibit F**.

9. A true and correct copy of an email chain dated October 3, 2014 between Joshua Kramer-Eisenbud, Mark Nordlicht, Naftali Manela, Harvey Werblowsky, and Moti Edelstein, which was produced by the Receiver in the above-captioned consolidated actions bearing the Bates No. CTRL5657671, is attached hereto as **Exhibit G**.

10. A true and correct copy of an email chain dated October 5, 2014 between Joshua Kramer-Eisenbud and Mark Nordlicht, copying Naftali Manela, which was produced by the

Receiver in the above-captioned consolidated actions bearing the Bates No. CTRL5670260, is attached hereto as **Exhibit H**.

11. A true and correct copy of an email chain dated March 9, 2015 between Joshua Kramer-Eisenbud, Harvey Werblowsky, and Mark Nordlicht, which was produced by the Receiver in the above-captioned consolidated actions bearing the Bates No. CTRL6520685, is attached hereto as **Exhibit I**.

12. A true and correct copy of an email dated February 17, 2016 from Dhruv Narain to Mark Feuer and Scott Taylor, which was produced by the Movants in the above-captioned consolidated actions bearing Bates No. CNOCSL_01213564, is attached hereto as **Exhibit J**.

13. A true and correct copy of [REDACTED]
[REDACTED] is
attached hereto as **Exhibit K**.

14. A true and correct copy of [REDACTED]
[REDACTED] dated July 6, 2016,
which was produced by the Movants in the above-captioned consolidated actions bearing
Bates Nos. CNOCSL_00599377 – CNOCSL_00599483 is attached hereto as **Exhibit L**.

15. A true and correct copy of [REDACTED]
[REDACTED] dated November
22, 2016, which was produced by the Movants in the above-captioned consolidated actions
bearing Bates Nos. CNOCSL_00736628 – CNOCSL_00736769 is attached hereto as **Exhibit
M**.

16. A true and correct copy of [REDACTED]
[REDACTED] is attached hereto as **Exhibit N**.

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

Dated: New York, New York
July 3, 2019

By: /s/ Adam J. Kaiser
Adam J. Kaiser

Exhibit A

[REDACTED]

Exhibit B

[REDACTED]

Exhibit C

[REDACTED]

Exhibit D

[REDACTED]

Exhibit E

[REDACTED]

Exhibit F

[REDACTED]

Exhibit G

[REDACTED]

Exhibit H

[REDACTED]

Exhibit I

[REDACTED]

Exhibit J

[REDACTED]

Exhibit K

[REDACTED]

Exhibit L

[REDACTED]

Exhibit M

[REDACTED]

Exhibit N

[REDACTED]