

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PLATINUM-BEECHWOOD LITIGATION

Master Docket No. 1:18-cv-06658-JSR

MARTIN TROTT and CHRISTOPHER SMITH,
as Joint Official Liquidators and
Foreign Representatives of
PLATINUM PARTNERS VALUE ARBITRAGE
FUND L.P. (in Official Liquidation) and
PLATINUM PARTNERS VALUE ARBITRAGE
FUND L.P. (in Official Liquidation),

Case No. 1:18-cv-10936-JSR

Plaintiffs,

-v-

PLATINUM MANAGEMENT (NY) LLC,
et al.,

Defendants.

**DEFENDANT MURRAY HUBERFELD’S MEMORANDUM OF LAW IN SUPPORT OF
HIS MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

Defendant Murray Huberfeld (“Huberfeld”) respectfully submits this memorandum of law in support of his motion (the “Motion”) to dismiss the Second Amended Complaint (the “SAC”) pursuant to Federal Rules of Civil Procedure Rule 12(b)(6) for failure to state a claim upon which relief may be granted.

For brevity, Huberfeld respectfully incorporates herein and joins with the motion to dismiss the SAC of defendant David Bodner (“Bodner”) for the reasons set forth therein, as well as with the motions to dismiss the SAC by all other moving defendants on the same or similar grounds. For all of the reasons set forth in the memoranda of law filed by Bodner and other similarly situated moving defendants, the SAC should be dismissed with prejudice against Huberfeld.

Date: April 22, 2019

Respectfully submitted,

/s/ Jeffrey C. Daniels

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