

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE PLATINUM-BEECHWOOD LITIGATION : Case No. 18-cv-6658 (JSR)

MELANIE L. CYGANOWSKI, as Equity Receiver :
for PLATINUM PARTNERS CREDIT : Case No. 18-cv-12018 (JSR)
OPPORTUNITIES MASTER FUND LP, *et al.*, :

Plaintiffs, :

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. :

**NOTICE OF MOTION BY THIRD-PARTY DEFENDANTS WHITESTAR LLC,
WHITESTAR LLC II, AND WHITESTAR LLC III TO DISMISS THIRD-PARTY
COMPLAINT OF SENIOR HEALTH INSURANCE COMPANY OF PENNSYLVANIA**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and upon all prior pleadings and proceedings herein, Third-Party Defendants Whitestar LLC, Whitestar LLC II, and Whitestar LLC III (the “Whitestar Entities”), by and through their undersigned attorneys, hereby move this Court in the above-captioned action before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York at the Daniel Patrick

Moynihan United State Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an order dismissing the Third-Party Complaint (ECF No. 195) of Senior Health Insurance Company of Pennsylvania (“SHIP”) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted (the “Motion”).

PLEASE TAKE FURTHER NOTICE that, pursuant to agreement between the parties and consultation with the Court, SHIP’s opposition, if any, to the Motion is due on or before July 29, 2019; the Whitestar Entities’ reply memoranda, if any, is due on or before August 5, 2019; and argument on the Motion will be heard on August 12, 2019 at 9:00 a.m.

Dated: July 15, 2019
New York, NY

Respectfully Submitted,
WIGGIN AND DANA LLP

/s/ Paul A. Tuchmann

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Whitestar LLC III*