

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re PLATINUM-BEECHWOOD
LITIGATION

Case No. 18 Civ. 6658 (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. 18 Civ. 10936 (JSR)

Plaintiffs,

v.

PLATINUM MANAGEMENT (NY) LLC,
et al.,

Defendants.

**NOTICE OF DEFENDANT DANIEL SAKS' MOTION TO DISMISS
THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, in accordance with Federal Rules of Civil Procedure 12(b)(6), 8 and 9(b), Defendant Daniel Saks ("Saks") hereby respectfully moves this Court, before the Honorable Jed S. Rakoff, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007, for an order dismissing the Second Amended Complaint of Plaintiffs 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. (together, “Plaintiffs”) in its entirety as to Saks (the “Motion”).

PLEASE TAKE FURTHER NOTICE that Plaintiffs’ opposition papers to this Motion are due on or before May 17, 2019; Saks’ reply, if any, is due on or before May 23, 2019; and the Court shall hear oral argument on June 4, 2019 at 4:00 PM.

Dated: May 10, 2019
New York, NY

BINDER & SCHWARTZ LLP

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