

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re PLATINUM-BEECHWOOD LITIGATION

MELANIE L. CYGANOWSKI, as Equity  
Receiver for PLATINUM PARTNERS  
CREDIT OPPORTUNITIES MASTER FUND  
LP, PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND (TE) LLC,  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND LLC, PLATINUM  
PARTNERS CREDIT OPPORTUNITIES FUND  
INTERNATIONAL LTD., PLATINUM  
PARTNERS CREDIT OPPORTUNITIES  
INTERNATIONAL (A) LTD., and  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND (BL) LLC,

Plaintiffs,

v.

BEECHWOOD RE LTD., et al.

Defendants.

WASHINGTON NATIONAL INSURANCE  
COMPANY and BANKERS CONSECO  
LIFE INSURANCE COMPANY,

Third-Party Plaintiffs,

v.

MARK NORDLICHT, et al.,

Third-Party Defendants.

Consolidated Case No.  
18-cv-6658 (JSR)

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

**THIRD-PARTY DEFENDANT WILL  
SLOTA'S ANSWER TO THE THIRD-  
PARTY COMPLAINT OF THIRD-  
PARTY PLAINTIFFS WASHINGTON  
NATIONAL INSURANCE COMPANY  
and BANKERS CONSECO LIFE  
INSURANCE COMPANY**

Third-Party Defendant Will Slota (“Third-Party Defendant” or “Slota”), by and through his counsel, as and for his Answer to the Third Party Complaint (“TPC”) of Third-Party Plaintiffs Washington National Insurance Company (“WNIC”) and Bankers Consec Life Insurance Company (“BCLIC”) (together, “Third-Party Plaintiffs”) herein, dated September 3, 2019, allege as follows:

To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in the TPC support Counts One, Two, Three, Eighteen, and Nineteen of the TPC, such causes of action were dismissed by Order of this Court dated August 18, 2019. Pursuant to such dismissal, no responsive pleading is required.

### **INTRODUCTION**

470. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

471. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

472. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

473. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

474. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

475. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

### **JURISDICTION AND VENUE**

476. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and respectfully refers all questions of law to this Honorable Court.

477. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and respectfully refers all questions of law to this Honorable Court.

### **THE CROSS-CLAIM AND THIRD-PARTY PLAINTIFFS**

478. Slota denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

479. Slota denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

### **THE RACKETEERS, THE STRUCTURE OF THEIR CONSPIRACY AND A SAMPLER OF THEIR ROLES AND FRAUDULENT ACTS**

480. Slota denies knowledge or information sufficient to form a belief as to the

truth of the remaining allegations in this paragraph directed at individuals or entities other than Slota, the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

481. Slota denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

487. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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492. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

493. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied, [REDACTED]

[REDACTED]

[REDACTED]

494. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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498. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota, [REDACTED] To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

499. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

500. Slota denies knowledge or information sufficient to form a belief as to the

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501. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

502. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota, [REDACTED]. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

503. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota, [REDACTED]. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

504. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota, [REDACTED]. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

505. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota, [REDACTED]. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

506. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota

[REDACTED]. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

507. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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512. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at, such allegations are denied.

513. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota or state, such allegations are



denied.

514. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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### **STATEMENT OF FACTS**

#### **A. The Start of the Conspiracy**

522. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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**B. The Co-Conspirators Defraud WNIC and BCLIC**

536. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

537. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**a. Misrepresentations about the Control and Ownership of Beechwood**

538. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

539. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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541. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

542. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**b. Misrepresentations about Beechwood's Capital**

543. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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549. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**c. Misrepresentations about Beechwood's Investment Plans**

550. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

551. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*1. The leveraging Scheme*

552. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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561. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*2. The false promise of safe investments*

562. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

563. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

564. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

3. *The lie about Beechwood's investment process*

565. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

566. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

567. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

4. *The lie about Levy's qualifications*

568. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

569. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.



*5. The lie about “independent” valuations*

570. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

571. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**d. Misrepresentations about the Beechwood Management Team**

572. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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577. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied,

[REDACTED]

578. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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**C. Key Provisions of the Reinsurance Agreements**

593. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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603. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**D. The Fraud Continues after the Reinsurance Agreements are Signed**

604. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

605. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

606. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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610. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**a. Continuing Misrepresentations about Ownership and Control of Beechwood**

611. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

612. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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615. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**b. Continuing Misrepresentations about Beechwood's "Capital"**

616. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

617. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

618. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

619. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

620. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

621. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

622. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

623. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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627. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**c. Continuing Misrepresentations about Beechwood's Management Team**

628. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

629. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

630. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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**d. Continuing Misrepresentations about How Beechwood Invested Trust Assets**

637. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

638. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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**E. Secreting the Proceeds of the Racketeering Activity**

653. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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656. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**F. Beechwood Re's Many Breaches of this Reinsurance (and Accompanying) Agreements**

657. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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676. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**G. The Platinum House of Carede Collapses and Beechwood Is Revealed as Integrated with It**

677. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

678. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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683. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.



#### **H. The EDNY Indictment and SEC Complaint**

684. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

685. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

686. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **I. Beechwood Re Is Placed Into Controllership**

687. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

688. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **J. Beechwood Bermuda's Assets Are Sold**

689. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

690. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the

extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**K. Lincoln Actively Participates in the Fraud**

**a. Platinum Engages Lincoln to Further the Fraud**

691. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*1. Lincoln Accepts Platinum Engagement as Opportunity to Gain Future Business, with Full Knowledge that Platinum and Beechwood Re Are Related*

692. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

693. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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696. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied, [REDACTED]

[REDACTED]

697. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied, [REDACTED]

[REDACTED]

698. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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702. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied,

[REDACTED]

703. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the

extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*2. Despite an Engagement Letter with “Beechwood,” Lincoln Knowingly Works for Platinum*

704. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied, [REDACTED]

705. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

706. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**b. Lincoln Knowingly Issues Valuation Reports Based on False and Misleading Information**

707. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

708. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*1. Lincoln Knew That the Information Relied On by Beechwood Re/BAM was Deficient*

709. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the

extent the allegations of this paragraph are directed at Slota, such allegations are denied.

710. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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730. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*2. Lincoln Knew That the Information Contained in Its Valuation Reports was Inaccurate*

731. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

732. Slota denies knowledge or information sufficient to form a belief as to the truth

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735. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

*3. Lincoln Knew That It Was Not Operating As An Independent Agent*

736. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

737. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

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743. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

744. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

745. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

746. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

747. Slota denies knowledge or information sufficient to form a belief as to the truth

of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

748. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

749. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

750. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

751. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

4. *Lincoln Knew That CNO Relied on Its Sham Valuation Reports*

752. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

753. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

754. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the

extent the allegations of this paragraph are directed at Slota, such allegations are denied.

755. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

756. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

757. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

758. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

759. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**c. Lincoln Terminates the Relationship**

760. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

761. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

762. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

763. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

764. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

765. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

766. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

767. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

768. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

769. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the

extent the allegations of this paragraph are directed at Slota, such allegations are denied.

770. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

771. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

772. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

773. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

774. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

775. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

776. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

777. Slota denies knowledge or information sufficient to form a belief as to the truth

of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

778. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

779. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

780. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

781. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

782. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

783. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**CLAIMS FOR RELIEF**

**COUNT ONE**

**Violation of Civil RICO – 18 U.S.C. § 1962(c)  
(Against Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff, Manela,  
Ottensoser, Kim, Saks, Poteat, Narain, Holdings, BAM,  
BAM Administrative, BBL, BBIL, PB Investment,  
as successor-in-interest to BBIH, Beechwood Investments  
and each Series, Beechwood Trusts Nos. 1-20 and Lincoln)**

784. With respect to Paragraph “784” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “783” of this Answer.

785. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

786. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

787. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or

information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

788. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

789. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

790. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

791. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in



this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

792. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

793. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

## **COUNT TWO**

**RICO Conspiracy – 18 U.S.C. § 1962(d)  
(Against Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff, Manela,  
Ottensoser, Kim, Saks, Poteat, Narain, Holdings,  
BAM, BAM Administrative, BBL, BBIL,  
PB Investment, as successor-in-interest to BBIH, Beechwood Investments  
and each Series, Beechwood Trusts Nos. 1-20 and Lincoln)**

794. With respect to Paragraph “794” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “793” of this Answer.

795. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

796. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

797. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

798. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

799. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

### **COUNT THREE**

#### **Fraudulent Inducement and Fraud (Against Hodgdon, Slota, Small, Leff, Manela, Ottensoser, Kim, Saks, Poteat and Narain)**

800. With respect to Paragraph “800” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “799” of this Answer.

801. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

802. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

803. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

804. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

805. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

806. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed

at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

807. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT FOUR**

##### **Fraudulent Inducement and Fraud (Against BBL, BBIL and PB Investment, as successor-in-interest to BBIH)**

808. With respect to Paragraph “808” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “807” of this Answer.

809. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

810. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at

individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

811. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

812. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

813. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

814. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

815. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT FIVE**

##### **Fraudulent Misrepresentation and Omission (Against Lincoln)**

816. With respect to Paragraph “816” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “815” of this Answer.

817. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

818. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at

individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

819. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

820. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

821. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

822. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information



sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

823. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

824. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

825. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**COUNT SIX**

**Negligent Misrepresentation  
(Against Lincoln)**

826. With respect to Paragraph “826” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “825” of this Answer.

827. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

828. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

829. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count

or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

830. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

831. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

832. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

833. This Count is not alleged against Slota and no responsive pleading is required.

To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

834. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT SEVEN**

**Aiding and Abetting Fraud  
(Against Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff, Manela,  
Ottensoser, Kim, Saks, Poteat, Narain, Holdings, BAM, BAM Administrative,  
BBL, BBIL, PB Investment, Beechwood Investments  
and each Series and Beechwood Trusts Nos. 1-20)**

835. With respect to Paragraph “835” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “834” of this Answer.

836. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

837. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

838. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

839. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

840. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

841. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

842. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

843. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

## **COUNT EIGHT**

### **Aiding and Abetting Fraud (Against Lincoln)**

844. With respect to Paragraph “844” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “843” of this Answer.

845. This Count is not alleged against Slota and no responsive pleading is required.

To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

846. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

847. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

848. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

849. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

850. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

851. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

852. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

**COUNT NINE**

**Conspiracy to Commit Fraud  
(Against Lincoln)**

853. With respect to Paragraph “853” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “852” of this Answer.

854. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

855. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

856. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.



857. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

858. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

859. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

860. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

**COUNT TEN**

**Breach of Contract  
(Against Beechwood Re)**

861. With respect to Paragraph “861” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “860” of this Answer.denied.

862. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

863. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

864. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

865. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

### **COUNT ELEVEN**

#### **Breach of Fiduciary Duty (Against BAM, BAM Administrative, Hodgdon, Saks, Kim and Narain)**

866. With respect to Paragraph “866” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “865” of this Answer.

867. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

868. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

869. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

870. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

871. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

872. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

**COUNT TWELVE**

**Aiding and Abetting Breaches of Fiduciary Duty  
(Against Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff,  
Manela, Ottensoser, Kim, Saks, Poteat, Narain, Holdings,  
BAM, BAM Administrative, BBL, BBIL, PB Investment,  
as successor-in-interest to BBIH, Beechwood Investments  
and each Series and Beechwood Trusts Nos. 1-20)**

873. With respect to Paragraph “873” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “872” of this Answer.

874. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

875. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

876. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

877. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

878. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

879. Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**COUNT THIRTEEN**

**Aiding and Abetting Breach of Fiduciary Duty  
(Against Lincoln)**

880. With respect to Paragraph “880” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “879” of this Answer.

881. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

882. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

883. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at

individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

884. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

885. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

886. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

887. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

888. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT FOURTEEN**

**Fraudulent Conveyance – New York Debtor and  
Creditor Law §§ 276, 276-a, 278 and 279  
(Against BBL, BBIL and PB Investment, as successor-in-interest to BBIH)**

889. With respect to Paragraph “889” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “888” of this Answer.

890. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

891. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information



sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

892. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

893. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

894. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

895. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count

or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

896. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

897. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

898. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

899. This Count is not alleged against Slota and no responsive pleading is required.

To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

900. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT FIFTEEN**

**Fraudulent Conveyance – New York Debtor  
and Creditor Law §§ 273, 278 and/or 279  
(Against BBL, BBIL and PB Investment, as successor-in-interest to BBIH)**

901. With respect to Paragraph “901” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “900” of this Answer.

902. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

903. This Count is not alleged against Slota and no responsive pleading is required.

To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

904. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

905. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

906. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**COUNT SIXTEEN**

**Fraudulent Conveyance – New York Debtor  
and Creditor Law §§ 274, 278 and/or 279  
(Against BBL, BBIL and PB Investment., as successor-in-interest to BBIH)**

907. With respect to Paragraph “907” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “906” of this Answer.

908. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

909. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

910. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

911. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

912. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **COUNT SEVENTEEN**

**Fraudulent Conveyance – New York Debtor  
and Creditor Law §§ 275, 278 and/or 279  
(Against BBL, BBIL and PB Investment, as successor-in-interest to BBIH)**

913. With respect to Paragraph “913” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “912” of this Answer.

914. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

915. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

916. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

917. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

918. This Count is not alleged against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are

directed at Slota, such allegations are denied.

**COUNT EIGHTEEN**

**Contribution and Indemnity  
(Against Beechwood Re, Feuer, Taylor, Levy, Beechwood Capital Group,  
Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff, Manela,  
Ottensoser, Kim, Saks, Poteat, Narain, Holdings, BAM, BAM Administrative,  
BBL, BBIL, PB Investment, as successor-in-interest to BBIH,  
Beechwood Investments and each Series,  
Beechwood Trusts Nos. 1-20, and Lincoln)**

919. With respect to Paragraph “919” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “918” of this Answer.

920. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

921. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

922. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or



information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

**COUNT NINETEEN**

**Unjust Enrichment/Constructive Trust  
(Against Nordlicht, Huberfeld, Bodner, Feuer Family Trust,  
Taylor-Lau Family Trust, Hodgdon, Slota, Small, Leff, Manela,  
Ottensoser, Kim, Saks, Poteat, Narain, Holdings, BAM,  
BAM Administrative, BBL, BBIL, PB Investment,  
as successor-in-interest to BBIH, Beechwood Investments  
and each Series, Beechwood Trusts Nos. 1-20 and Lincoln)**

923. With respect to Paragraph “923” of the TPC, Slota repeats and realleges the admissions and denials set forth in Paragraphs “1” through “922” of this Answer

924. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

925. This Count has been dismissed against Slota and no responsive pleading is required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

926. This Count has been dismissed against Slota and no responsive pleading is

required. To the extent the allegations in any paragraph or sub-paragraphs thereto set forth in this Count or the TPC support any other counts against Slota, Slota denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph directed at individuals or entities other than Slota. To the extent the allegations of this paragraph are directed at Slota, such allegations are denied.

#### **FIRST AFFIRMATIVE DEFENSE**

927. The Complaint must be dismissed because of lack of subject matter jurisdiction to the extent Counts Seven and Twelve of the TPC alleging aiding and abetting fraud and aiding and abetting breach of fiduciary duty against Slota arise solely under New York State law.

#### **SECOND AFFIRMATIVE DEFENSE**

928. The Third-Party Complaint must be dismissed because it fails to state a claim on which relief can be granted as to Counts Seven and Twelve including, without limitation, that insofar as the claims for fraud and breach fiduciary duty have been dismissed as against Slota, thus no aiding and abetting fraud and/or aiding and abetting breach of fiduciary duty is or can be alleged against Slota.

#### **THIRD AFFIRMATIVE DEFENSE**

929. The Third-Party Complaint fails because Third-Party Plaintiffs' damages, if any, all of which are denied, were sustained as result of intervening causes not produced by Slota and not as a result of the alleged conduct, acts or omissions of Slota.

#### **FOURTH AFFIRMATIVE DEFENSE**

930. The Third-Party Complaint fails because Third-Party Plaintiff's damages, if any, all of which are denied, were sustained as result of the Third-Party Plaintiffs' own culpable conduct, and not as a result of the alleged conduct, acts or omissions of Slota including, but not

limited to WNIC and/or BCLIC's own participation in the alleged scheme that is the subject of the TPC.

**FIFTH AFFIRMATIVE DEFENSE**

931. The Third-Party Complaint fails pursuant to the doctrine of unclean hands because of the Third-Party Plaintiffs' own participation in the alleged scheme that is the subject of the TPC.

**SIXTH AFFIRMATIVE DEFENSE**

932. The Third-Party Complaint fails because Third-Party Plaintiff's damages, if any, all of which are denied, were sustained as result of conduct, acts or omissions of persons and/or entities other than Slota.

**SEVENTH AFFIRMATIVE DEFENSE**

933. The Third-Party Complaint fails to accurately state the alleged damages.

**EIGHTH AFFIRMATIVE DEFENSE**

934. Slota reserves his right(s) to assert any and other defenses as discovery may reveal or may be directed with respect to the TPC or any amendment thereto.

**WHEREFORE** Third-Party Defendant Slota respectfully request that the TPC be dismissed in its entirety as against him, and that fees, costs and disbursements and attorneys' fees be remitted to Slota for defending this action, together with such other and further relief as this Court deems just and proper.

Dated: New York, NY  
September 17, 2019

**COX PADMORE SKOLNIK &  
SHAKARCHY LLP**

By: /s/ Stefan B. Kalina

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing THIRD-PARTY DEFENDANT WILL SLOTA'S ANSWER TO THE THIRD-PARTY COMPLAINT OF THIRD-PARTY PLAINTIFFS WASHINGTON NATIONAL INSURANCE COMPANY and BANKERS CONSECO LIFE INSURANCE COMPANY was electronically served on all counsel of record in the above-captioned matter by the EM/ECF system on this 17th day of September, 2019.

Respectfully submitted,

COX PADMORE SKOLNIK SHAKARCHY LLP

By: /s/ Stefan B. Kalina  
Stefan B. Kalina, Esq.  
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Will Slota  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re PLATINUM-BEECHWOOD LITIGATION

Consolidated Case No.  
18-cv-6658 (JSR)

MELANIE L. CYGANOWSKI, as Equity  
Receiver for PLATINUM PARTNERS  
CREDIT OPPORTUNITIES MASTER FUND  
LP, PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND (TE) LLC,  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND LLC, PLATINUM  
PARTNERS CREDIT OPPORTUNITIES FUND  
INTERNATIONAL LTD., PLATINUM  
PARTNERS CREDIT OPPORTUNITIES  
INTERNATIONAL (A) LTD., and  
PLATINUM PARTNERS CREDIT  
OPPORTUNITIES FUND (BL) LLC,

Plaintiffs,

v.

BEECHWOOD RE LTD., et al.

Defendants.

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

WASHINGTON NATIONAL INSURANCE  
COMPANY and BANKERS CONSECO  
LIFE INSURANCE COMPANY,

Third-Party Plaintiffs,

v.

MARK NORDLICHT, et al.,

Third-Party Defendants.

**JURY DEMAND**

**COUNSELEORS:**

**PLEASE TAKE NOTICE** that Third-Party Defendant Will Slota, by its undersigned attorneys, hereby demands a trial of all issues in the above-captioned action by jury.

Dated: New York, NY  
September 17, 2019

**COX PADMORE SKOLNIK &  
SHAKARCHY LLP**

By: /s/ Stefan B. Kalina

Stefan B. Kalina, Esq.

Attorneys for Third-Party Defendant

Will Slota

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing THIRD-PARTY DEFENDANT WILL SLOTA'S JURY DEMAND was electronically served on all counsel of record in the above-captioned matter by the EM/ECF system on this 17th day of September, 2019.

Respectfully submitted,

COX PADMORE SKOLNIK SHAKARCHY LLP

By:       /s/ Stefan B. Kalina      

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