

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re PLATINUM-BEECHWOOD LITIGATION :

18-cv-6658 (JSR)

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MARTIN TROTT, et al., :

Plaintiffs, :

-v- :

18-cv-10936 (JSR)

PLATINUM MANAGEMENT (NY) LLC, et
al., :

Defendants. :

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MELANIE L. CYGANOWSKI, :

Plaintiff, :

-v- :

BEECHWOOD RE LTD., et al., :

Defendants. :

18-cv-12018 (JSR)

SENIOR HEALTH INSURANCE COMPANY OF
PENNSYLVANIA, :

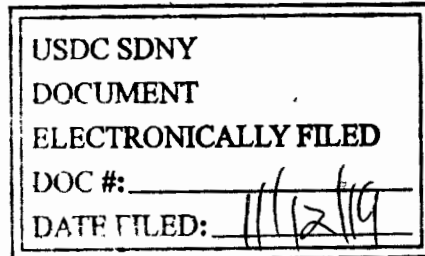
Third-Party Plaintiff, :

-v- :

BEECHWOOD RE LTD., et al., :

Third-Party Defendants. :

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JED S. RAKOFF, U.S.D.J.



ORDER

Now before the Court is a letter motion by Ezra Beren -
defendant in Trott et al. v. Platinum Management (NY) LLC, et

al., 18-cv-10936 (the "Trott action") and third-party defendant in the amended third-party complaint by Senior Health Insurance Company of Pennsylvania in Cyganowski v. Beechwood Re Ltd. et al., 18-cv-12018 (the "Cyganowski action") - seeking to sever the claims against him in the Trott action and the Cyganowski action. 18-cv-6658, ECF No. 687; 18-cv-10936, ECF No. 483; 18-cv-12018, ECF No. 455. The Court hereby denies the motion for the following reasons.

First, severance would significantly frustrate judicial economy, in a situation where this Court has been diligently attempting to move forward in an efficient manner the entirety of related actions consolidated under the heading In re Platinum-Beechwood Litig., 18-cv-6658. See also Fed. R. Civ. P. 1. Since common questions of law and fact exist between Beren and other defendants, and the claims against Beren and other defendants arise from the same transactions, there is an obvious benefit in not parceling out these cases separately.

Second, the Court finds that Beren would not be unfairly prejudiced by following the Consolidated Schedule governing these cases. Beren has full access to the documents already produced by other parties and has almost a month from now to prepare for his own deposition. The Court has already eliminated the only respect in which Beren might have suffered prejudice,

by granting Beren an extension until December 2, 2019 to answer or move to dismiss the complaints against him, which is almost six weeks after service was effectuated.

Third, the Court is skeptical that Beren was completely faultless for his tardy joinder to this case. For instance, long before service was finally effected on Beren, Beren's parents received service of the two complaints against Beren, so he surely had notice of what was coming. Also, according to plaintiffs in the Trott action, Beren's counsel attended status hearings in this case as early as December 2018.

For these reasons, Beren's motion to sever is denied. The Clerk of the Court is directed to close the entries with the docket numbers 687 in 18-cv-6658, 483 in 18-cv-10936, and 455 in 18-cv-12018.

SO ORDERED.

Dated: New York, NY
November 11, 2019



JED S. RAKOFF, U.S.D.J.