

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Martin Trott and Christopher Smith, as Joint Official Liquidators and Foreign Representatives of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation)

Plaintiff vs. Platinum Management (NY) LLC, et al.	Case Number <hr/>
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Senior Health Insurance Company of Pennsylvania

Plaintiff vs. Beechwood Re Ltd., et al.	Case Number 1:18-cv-06658-JSR <hr/>
Defendant	

Status of Earlier Filed Case:

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

Open

(If so, set forth procedural status and summarize any court rulings.)

Senior Health Insurance Company of Pennsylvania v. Beechwood Re Ltd., et al, Case No. 18-cv-06658 ("SHIP Action") is a direct action against various individuals and entities affiliated with the Beechwood enterprise ("Beechwood Defendants") asserting claims, among others, for breach of fiduciary duty, fraud, and Civil RICO.

On July 24, 2018, SHIP filed its complaint against the Beechwood Defendants. On September 24, 2018, Defendant David Levy filed an answer to the complaint. On October 15, 2018, the remaining Beechwood Defendants filed a motion to dismiss the SHIP complaint. On November 13, 2018, the court held oral argument on the motion to dismiss. The motion to dismiss remains pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

This present case (the "PPVA Action") has been filed by Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) and the Joint Official Liquidators and Foreign Representatives acting on its behalf. The PPVA Action and the SHIP Action are related because there is substantial overlap between the material facts and the transactions at issue, and all Beechwood Defendants named in the SHIP Action are also named as defendants in the PPVA Action.

In both cases, the plaintiffs allege damages, in part, due to the illicit relationship between the Platinum and Beechwood enterprises, whereby the common owners of Beechwood and Platinum Management used their positions of trust to commit a fraud and improperly enrich themselves. Many of the same transactions and events are the focus of both complaints: the creation of Beechwood, the Agera Transactions, the Beechwood/Montsant transactions and PEDEVCO.

Accordingly, the Plaintiffs in the PPVA Action respectfully submits that these cases should be treated as related pursuant to S.D.N.Y. Local Civil Rule 13.

Signature: _____



Date: _____

11/21/18

Holland & Knight LLP

Firm: _____