

IH-32

Rev: 2014-1

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

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Full Caption of Later Filed Case:

Melanie L. Cyganowski, as Receiver for  
Platinum Partners Credit Opportunities  
Master Fund LP, et. al.

Plaintiff	Case Number
vs.	
Bermuda Re LTD., et al.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

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

Plaintiff	Case Number
vs.	18-cv-10936-JSR
Platinum Management (NY) LLC, et al.	
Defendant	

IH-32

Rev: 2014-1

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.)

On November 11, 2018, Trott filed its Complaint against Platinum Management (NY) LLC and the Beechwood defendants (the "PPVA Action"). On November 28, 2018, the case was reassigned to Judge Rakoff as related to Senior Health Insurance Company of Pennsylvania v. Beechwood Re Ltd., et al, Case No. 18-cv-06658. The initial conference for the PPVA Action was set for December 19, 2018 at 11 am.

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

The present case and the PPVA Action are related because the Beechwood defendants named in the PPVA Action are also Defendants in the present case. Many of the same material facts and transactions are the focus of both complaints, and in both cases, plaintiffs assert claims for breach of fiduciary duty, fraud, and RICO. In the present case, Plaintiffs allege that the PPVA plaintiffs were willing participants in the illicit relationship between the Platinum and Beechwood enterprises.

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

Signature: \_\_\_\_\_



Otterboug P.C.

Date: \_\_\_\_\_

12/19/2018

Firm: \_\_\_\_\_

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

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Full Caption of Later Filed Case:

Melanie L. Cyganowski, as Receiver for  
Platinum Partners Credit Opportunities  
Master Fund LP, et. al.

Plaintiff	Case Number
vs.	
Bermuda Re LTD., et al.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Senior Health Insurance Company of  
Pennsylvania

Plaintiff	Case Number
vs.	18-cv-06658-JSR
Beechwood Re Ltd., et al.	
Defendant	

IH-32

Rev: 2014-1

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.)

On July 24, 2018, Senior Health Insurance Company of Pennsylvania ("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 Defendants filed a motion to dismiss the complaint. On December 7th, Judge Rakoff issued an order granting in part and denying in part the Defendants' motion to dismiss.

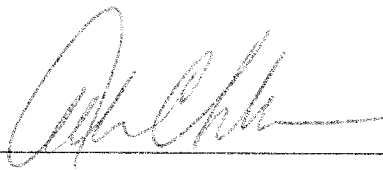
On December 11th, Judge Rakoff issued an order postponing Levy's discovery obligations. SHIP filed a First Amended Complaint on December 14th.

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

The present case and the SHIP Action are related because the Beechwood defendants named in the SHIP Action are also Defendants in the present case. Many of the same material facts and transactions are the focus of both complaints, and in both cases, plaintiffs assert claims for breach of fiduciary duty, fraud, and RICO. In the present case, Plaintiffs allege that the SHIP plaintiffs were willing participants in the illicit relationship between the Platinum and Beechwood enterprises.

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

Signature:



Otterboug P.C.

Date:

12/19/2018

Firm:

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