UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

X IN RE PLATINUM-BEECHWOOD LITIGATION, Civil Action No. 1:18-cv-06658 X 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 FUND INTERNATIONAL (A) LTD., and PLATINUM PARTNERS CREDIT Civil Action No. OPPORTUNITIES FUND (BL) LLC, 1:18-cv-12018 Plaintiffs, v. BEECHWOOD RE LTD., et al., Defendants.

NOTICE OF MOTION BY DEFENDANTS WASHINGTON NATIONAL INSURANCE COMPANY AND BANKERS CONSECO LIFE INSURANCE COMPANY TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE, that defendants Washington National Insurance Company ("WNIC") and Bankers Conseco Life Insurance Company ("BCLIC") respectfully move the Court before the Hon. Jed S. Rakoff, United States District Judge, Southern District of New York, 500 Pearl Street, New York, New York 10007, for an Order under Fed. R. Civ. P. 8, 9(b), and 12(b)(6) dismissing the Complaint in the action captioned *Cyganowski v. Beechwood Re Ltd, et al.*, 18-cv-12018, in its entirety as to WNIC and BCLIC.

PLEASE TAKE FURTHER NOTICE, that in support of the motion, WNIC and BCLIC rely on the accompanying Declaration of Jenna Polivy and the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that plaintiffs' response, if any, is due on March 22, 2019 and WNIC and BCLIC's reply, if any, is due on March 29, 2019.

Dated: March 8, 2019

Respectfully submitted,

ALSTON & BIRD LLP

By: /s/Adam J. Kaiser

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CERTIFICATE OF SERVICE

It is hereby certified that on this 8th day of March, 2019, a copy of the foregoing was served through the Court's electronic filing system as to all parties who have entered an appearance in this adversary proceeding.

/s/Adam J. Kaiser Adam J. Kaiser