

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE PLATINUM-BEECHWOOD LITIGATION,

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X

: Civil Action No.  
: 1:18-cv-06658  
:

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  
OPPORTUNITIES FUND (BL) LLC,

X

: Civil Action No.  
: 1:18-cv-12018  
:

Plaintiffs,

v.

BEECHWOOD RE LTD., et al.,

Defendants.

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X

**NOTICE OF MOTION BY DEFENDANTS CNO FINANCIAL GROUP, INC. AND 40/86  
ADVISORS, INC. TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE, that defendants CNO Financial Group, Inc. (“CNO”) and 40/86 Advisors, Inc. (“40/86 Advisors”) 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), 12(b)(2), 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 CNO and 40/86 Advisors.

PLEASE TAKE FURTHER NOTICE, that in support of the motion, CNO and 40/86 Advisors rely on the accompanying Declaration of Karl W. Kindig and the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that plaintiffs' response, if any, is due on March 22, 2019 and CNO and 40/86 Advisors' 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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*Attorneys for CNO  
Financial Group, Inc. and  
40/86 Advisors, Inc.*

**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