

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re

PLATINUM-BEECHWOOD LITIGATION

Civil Action No. 18-cv-6658 (JSR)

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),

Civil Action No. 18-cv-10936 (JSR)

Plaintiffs,

- against -

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

Defendants.

**STIPULATION AND ORDER OF VOLUNTARY DISMISSAL**

**IT IS HEREBY STIPULATED AND AGREED** pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) by and between the undersigned counsel for Plaintiffs 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) (together "**Plaintiffs**"), and for defendant Seth Gerszberg ("**Gerszberg**"), that the above-captioned action (the "**Action**") be and hereby is dismissed with prejudice only as to Gerszberg, with each party to bear its own costs and fees associated with the Action; and

**IT IS HEREBY FURTHER STIPULATED AND AGREED** that this Stipulation and Order of Dismissal may be executed in counterparts, which, when taken together, shall constitute

the entire Stipulation and Order of Dismissal, and that signatures by facsimile and electronic mail should be considered by the Court the same as original signatures.

Dated: New York, New York  
August 28, 2020

HOLLAND & KNIGHT LLP

By:  \_\_\_\_\_

Warren E. Gluck, Esq.

31 West 52nd Street  
New York, New York 10019  
Telephone: (212) 513-3200  
Facsimile: (212) 385-9010  
[warren.gluck@hklaw.com](mailto:warren.gluck@hklaw.com)

*Attorneys for Plaintiffs 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)*

EPSTEIN OSTROVE, LLC

By:  \_\_\_\_\_

Elliot Ostrove, Esq.

200 Metroplex Drive, Suite 304  
Edison, NJ 08817  
Telephone: (732) 820-7761  
Facsimile: (732) 828-8601  
[e.ostrove@epsteinostrove.com](mailto:e.ostrove@epsteinostrove.com)

*Attorneys for Defendant Seth Gerszberg*

SO ORDERED:

\_\_\_\_\_  
Hon. Jed S. Rakoff, U.S.D.J.