

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: IN RE PLATINUM-BEECHWOOD LITIGATION : No. 18 Civ. 6658 (JSR)
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: 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 : No. 18 Civ. 10936 (JSR)
: PARTNERS VALUE ARBITRAGE FUND L.P. (in :
: OFFICIAL LIQUIDATION), :
:

Plaintiffs,

v.

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

Defendants.

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NOTICE OF SECOND MOTION *IN LIMINE* BY DEFENDANT DAVID BODNER

PLEASE TAKE NOTICE that defendant David Bodner, by and through his undersigned attorneys, upon the memorandum of law, hereby moves this Court, before the Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an Order consolidating Counts I through VIII of the Second Amended Complaint against Bodner into a single claim for breach of fiduciary duty, charging the jury only on that single count, dismissing the duplicative Counts II through VIII, and for such further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Individual Rules answering papers are due on or before October 19, 2020.

Dated: September 25, 2020
New York, New York

CURTIS, MALLET-PREVOST,
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