

**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.

**[PROPOSED] AMENDED  
CLERK'S CERTIFICATE  
OF DEFAULT**

I, RUBY J. KRAJICK, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on November 21, 2018 with the filing of the summons and complaint (the "Trott Action") by 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 for Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) (together, "Plaintiffs"), a copy of which was personally served on defendant Platinum Management (NY) LLC ("Platinum Management") by serving Heather Howie, an employee of VCORP Services, LLC, Platinum Management's registered agent for service, on December 27, 2018, and proof of service was therefore filed on January 22, 2019. *See* Trott Action, ECF No. 140.

On January 25, 2019, Plaintiffs filed a First Amended Complaint (the “FAC”) against, among others, Platinum Management. *See* Trott Action, ECF No. 159. The FAC had not been served as of February 25, 2019, when Saul E. Feder, Esq. (“Feder”) filed a Notice of Appearance on behalf of Platinum Management. *See* Trott Action, ECF No. 255.

After the consolidation of the Trott Action with the related actions captioned *In re Platinum-Beechwood Litigation*, 18-cv-6658 (JSR) (together with the Trott Action, the “Consolidated Actions”), Plaintiffs filed the operative Second Amended Complaint (the “SAC”) against, among others, Platinum Management, on March 29, 2019. *See* Trott Action, ECF No. 285.

Feder, as counsel of record for Platinum Management, was served with the SAC on March 29, 2019, by the Court’s ECF system which constitutes service on all counsel of record.

On August 25, 2020, Saul Feder filed a motion to withdraw as counsel for Platinum Management (the “Motion to Withdraw”). *See* Trott Action, ECF No. 652. Also on August 25, 2020, on a teleconference involving counsel for Plaintiffs, Feder, and others, the Court, as a result of the Motion to Withdraw, instructed Plaintiffs to move to default of Platinum Management no later than September 11, 2020.

On August 28, 2020, the Court granted the Motion to Withdraw and relieved Feder as counsel for Platinum Management. *See* Trott Action, ECF No. 656.

On September 11, 2020, Plaintiffs requested, pursuant to Federal Rule of Civil Procedure 55(a), and Local Civil Rule 55.1, a certificate of default against Platinum Management. *See* Trott Action, ECF No. 659. On September 14, 2020, the Clerk requested that Plaintiffs refile the proposed certificate of default. On November 13, 2020, Plaintiffs requested this certificate.

I further certify that the docket entries indicate that Defendant Platinum Management has not filed an answer or otherwise moved with respect to the complaint herein. The default of Defendant Platinum Management is hereby noted.

Dated: New York, New York

\_\_\_\_\_, 2020

**RUBY J. KRAJICK**  
Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk