

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-v-

ELEK STRAUB, TAMAS MORVAI, and
ANDRAS BALOGH,

Defendants.

No. 11 Civ. 9645 (RJS)

**CASE MANAGEMENT PLAN AND
SCHEDULING ORDER**

RICHARD J. SULLIVAN, District Judge:

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Case Management Plan and Scheduling Order:

1. The parties do not consent to disposition of this case by a United States Magistrate Judge. 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.
3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure have already been made by all parties.
6. All fact discovery is to be completed by **January 31, 2015**.
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. Initial requests for production of documents, interrogatories and requests for admission should have been served on or before November 15, 2012. The parties may make any additional written discovery requests in accordance with the above Rules, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 6 above.
8. Depositions shall be completed by **January 31, 2015**.

- a. Absent an agreement between the parties or an order from the Court, depositions are not to be held until all parties have responded to initial requests for document production.
 - b. There is no priority in deposition by reason of a party's status as a plaintiff or a defendant.
 - c. No depositions of the individual Defendants shall take place **prior to October 1, 2013**, absent an agreement between the parties.
 - d. Unless otherwise ordered by the Court, the parties may take up to 50 depositions. Unless otherwise agreed by the parties or ordered by the Court, the plaintiff may take up to 25 depositions, and the defendants collectively may take up to 25 depositions.
9. All expert disclosures, including reports and production of underlying documents, shall be completed pursuant to the following deadlines:
- a. Expert(s) of Plaintiff by **March 31, 2015**.
 - b. Expert(s) of Defendants by **March 31, 2015**.
10. All discovery, including expert depositions, shall be completed no later than **May 31, 2015**.
11. On or before **January 31, 2015**, the parties shall write a joint status letter to the Court, including proposed dates for a post-discovery conference.
12. If either party contemplates a motion, the post-discovery conference will function as a pre-motion conference. Pre-motion letters are to be submitted by **January 31, 2015**. Pursuant to Rule 2.A of the Court's Individual Practices, responses to pre-motion letters are to be submitted within three business days from the date of service of the initial pre-motion letter. Pre-motion letters and responses shall be submitted to the chambers' email address at sullivannysdchambers@nysd.uscourts.gov.
13. If neither party contemplates a dispositive motion, the post-discovery conference will function as a pre-trial conference at which a trial date will be set.

SO ORDERED.

DATED: August 5, 2013
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE