

1 **WO**

2

3

4

5

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

6

7

8

Teimuraz Tsirekidze, On Behalf of
Himself and All Others Similarly Situated,

No. CV-07-02204-PHX-FJM

9

Plaintiff,

ORDER

10

vs.

11

12

Syntax-Brilliant Corp., Man Kit (Thomas)
Chow, John S. Hodgson, James Ching Hua)
Li, Wayne A. Pratt, Vincent F. Sollitto, Jr.,
Brean Murray Carret & Co., LLC,
Canaccord Adams Inc., Grobstein
Horwath & Company LLP, Merrill Lynch,
Pierce Fenner & Smith Incorporated,
Robert W. Baird & Co. Incorporated, and
UBS Securities LLC

16

17

Defendants.

18

On July 6, 2009, this court took a telephone call from Daniel Weinstein, who represented that he was a private mediator representing all of the parties in this case. He said that notwithstanding this court's "strongly worded" admonitions regarding the firmness of the Rule 16 scheduling order, the parties would like to spend the summer engaged in mediation rather than litigation.

19

20

21

22

23

24

In twenty-five years of judging, this was the first time a private mediator ever called on behalf of the parties suggesting that the court's schedule should yield to the private mediator's schedule. We advised that nothing settles cases as effectively as firm trial dates and that there was no good reason why the parties could not engage in private mediation and

25

26

27

28

