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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION  
 14

15 SECURITIES AND EXCHANGE COMMISSION,

16 Plaintiff,

17 v.

18 MAHER F. KARA, MICHAEL F. KARA,  
 EMILE Y. JILWAN, ZAHY T. HADDAD,  
 19 BASSAM Y. SALMAN, and KARIM I. BAYYOUK,

20 Defendants.

Case No. CV 09-1880 MHP

JOINT STATUS REPORT AND  
 STIPULATED REQUEST TO  
 CONTINUE STATUS CONFERENCE  
 AND DISCOVERY DEADLINES

~~PROPOSED ORDER~~

21 At a status conference on November 16, 2009, the Court set certain discovery deadlines  
 22 and scheduled a further status conference for February 22, 2010. The parties submit this Joint  
 23 Status Report and jointly request that the status conference and the discovery deadlines be  
 24 continued for approximately 60 days.

25 **A. STATUS OF THE CASE**

26 Three of the defendants in this civil action are also defendants in a related criminal case,  
 27 *U.S. v. Maher Fayeze Kara, et al.*, No. CR 09-0417 MHP. Maher Kara, Michael Kara, and Emile  
 28 Jilwan are accused of securities fraud based on the same factual allegations as those made in the

1 Commission's civil complaint. By an order dated January 29, 2010, the Court set a criminal  
2 Trial and Motions Setting Conference on April 19, 2010. The defendants in the criminal action  
3 told the Court they need additional time to review evidence and pursue a resolution of the case.  
4 The Court has not yet set a trial date for either the criminal case or this related civil action.

5 Discovery is underway in the civil case, and the Commission has produced documents  
6 obtained during its investigation, pursuant to initial disclosure obligations and defendants'  
7 document requests, and defendants have responded to the document requests served by the  
8 Commission. The parties have conducted two third-party depositions, and have agreed to  
9 reschedule others in order to attempt to resolve the claims in the civil case.

10 **B. STIPULATION TO CONTINUE STATUS CONFERENCE AND DISCOVERY**

11 The parties to the civil case agree that the status conference and other discovery should  
12 be continued for approximately 60 days, and that discovery should be stayed until a further status  
13 conference is held. This short delay in the discovery in this action will permit the parties to the  
14 criminal case to work toward a resolution of that case, and permit the Commission and the  
15 parties to discuss resolution of the civil claims.

16 The parties stipulate to continuing the following dates, by 63 days:

17

<u>Event or deadline</u>	<u>Current Date</u>	<u>Proposed Continued Date</u>
18 Further Status Conference	February 22, 2010	April 26, 2010
19 Disclosure of witnesses, case 20 in chief	May 10, 2010	July 12, 2010
21 Discovery cut-off	June 7, 2010	August 9, 2010
22 Plaintiff's expert designation and reports	July 5, 2010	September 6, 2010
23 Defendants' expert designation and reports	July 21, 2010	September 22, 2010
24 Plaintiff's rebuttal expert designation and reports	August 6, 2010	October 8, 2010
25 Defendants' rebuttal expert 26 designation and reports	August 13, 2010	October 15, 2010
27 Dispositive motions to be 28 heard	September 27, 2010	November 29, 2010

1 Dated: February 11, 2009

/s/ Robert Tashjian  
ROBERT TASHJIAN  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

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4 /s/ George C. Harris  
GEORGE C. HARRIS  
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MAHER KARA

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8 /s/ Ismail Ramsey  
ISMAIL RAMSEY  
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11 /s/ William H. Green  
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Attorneys for Defendant  
EMILE Y. JILWAN

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14 /s/ Patrick W. Blegen  
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BASSAM Y. SALMAN

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18 /s/ Matthew F. Leitman  
MATTHEW F. LEITMAN  
Miller Canfield Paddock and Stone, PLC  
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KARIM I. BAYYOUK

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21 **GENERAL ORDER 45 ATTESTATION**

22 In accordance with General Order 45, each of the signatories to this documents have  
23 concurred in its filing, and I shall maintain records to support these concurrences.  
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25  
26 /s/ Robert Tashjian  
ROBERT TASHJIAN  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION  
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1 **~~[PROPOSED]~~ ORDER**

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3 The Court has considered the materials and papers submitted by counsel in this matter  
4 and for good cause shown, IT IS HEREBY ORDERED as follows:

5 The Status Conference previously set for February 22, 2010 is vacated and rescheduled  
6 for April 26, 2010, at 3:00 p.m., with a joint status report to be filed one week prior to the  
7 conference.

8 Discovery in this case shall be stayed until the Status Conference on April 26, 2010.

9 The following discovery deadlines previously set by the Court are continued to the  
10 following dates:

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12 Further Status Conference	April 26, 2010
13 Disclosure of witnesses, case in chief	July 12, 2010
14 Discovery cut-off	August 9, 2010
15 Plaintiff's expert designation and reports	September 6, 2010
16 Defendants' expert designation and reports	September 22, 2010
17 Plaintiff's rebuttal expert designation and reports	October 8, 2010
18 Defendants' rebuttal expert designation and reports	October 15, 2010
19 Dispositive motions to be heard	November 29, 2010

20 IT IS SO ORDERED.

21 Dated: 2/12, 2010

