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 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION
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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 By Order dated October 25, 2010, this matter is currently set for a further Status
 22 Conference on January 31, 2011. The Status Conference has been previously continued by the
 23 Court in order to follow the Trial and Motions Setting Conference in the related criminal action
 24 pending before the Court. Pursuant to a stipulation entered by the parties to the criminal action
 25 and on order of the Court, the Trial and Motions Setting Conference in the criminal action has
 26 now been continued to March 21, 2011. There are significant issues to be resolved in the
 27 criminal action, including the determination of the competency to enter a guilty plea by a
 28 defendant in the criminal action who is also a defendant in this civil action. Accordingly, the

1 parties to this civil action request that the Court continue certain discovery deadlines by about 60
2 days and reschedule the further Status Conference in this case to March 28, 2011.

3 **A. STATUS OF THE CASE**

4 Three of the defendants in this civil action are also defendants in a related criminal case,
5 *United States v. Maher Fayez Kara, et al.*, No. CR 09-0417 MHP. The criminal indictment
6 contains factual allegations also alleged in the Commission's civil action. The Court has set the
7 criminal Trial and Motions Setting Conference for March 21, 2011. The Court has not set a trial
8 date for either the related criminal case or this civil action.

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

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

15 The parties agree that the status conference and other discovery dates should be
16 continued by about 60 days, and that discovery should be stayed until a further status conference.
17 This stay in the discovery in this action will permit the parties to the criminal case to try to
18 resolve the case, and permit the parties to discuss resolution of the civil claims.

19 The parties stipulate to continuing the following dates, by 98 days:

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<u>Event or deadline</u>	<u>Current Date</u>	<u>Proposed Continued Date</u>
21 Further Status Conference	January 31, 2011	March 28, 2011
22 Disclosure of witnesses, case 23 in chief	April 18, 2011	June 17, 2011
24 Discovery cut-off	May 16, 2011	July 15, 2011
25 Plaintiff's expert designation 26 and reports	June 13, 2011	August 19, 2011
27 Defendants' expert 28 designation and reports	June 29, 2011	August 31, 2011
Plaintiff's rebuttal expert designation and reports	July 15, 2011	September 16, 2011

<u>Event or deadline</u>	<u>Current Date</u>	<u>Proposed Continued Date</u>
Defendants' rebuttal expert designation and reports	July 22, 2011	October 5, 2011
Dispositive motions to be heard	September 12, 2011	November 14, 2011

Dated: January 21, 2011

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

/s/ George C. Harris
 GEORGE C. HARRIS
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/s/ Ismail Ramsey
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 Ramsey & Ehrlich LLP
 Attorneys for Defendant MICHAEL F. KARA

/s/ William H. Green
 WILLIAM H. GREEN
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/s/ Patrick W. Blegen
 PATRICK W. BLEGEN
 Attorneys for Defendant BASSAM Y. SALMAN

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

GENERAL ORDER 45 ATTESTATION

In accordance with General Order 45, each of the signatories to this documents have concurred in its filing, and I shall maintain records to support these concurrences.

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

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3 **~~[PROPOSED]~~ ORDER**

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

6 The Status Conference previously set for January 21, 2011, is vacated and rescheduled
7 for March 28, 2011, at 3:00 p.m., with a joint status report to be filed one week prior to the
8 conference.

9 Discovery in this case shall be stayed until the Status Conference on March 28, 2011.

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

12 Further Status Conference	March 28, 2011
13 Disclosure of witnesses, case in chief	June 17, 2011
14 Discovery cut-off	July 15, 2011
15 Plaintiff's expert designation and reports	August 19, 2011
16 Defendants' expert designation and reports	August 31, 2011
17 Plaintiff's rebuttal expert designation and reports	September 16, 2011
18 Defendants' rebuttal expert designation and reports	October 5, 2011
19 Dispositive motions to be heard	November 14, 2011

20 IT IS SO ORDERED.

21 Dated: January 25, 2011

