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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

KIMON P. DAIFOTIS and RANDALL
MERK,

Defendants.

No. C 11-00137 WHA

**REQUEST FOR
FURTHER BRIEFING**

By **NOON ON TUESDAY, OCTOBER 11, 2011**, each side shall submit a memorandum up to four pages stating whether, in the event a Section 1292(b) appeal occurs, any party shall seek to curtail discovery in any way pending circuit review and shall describe the degree of discovery already undertaken and what remains to be done. The defense shall file one joint memorandum (up to five pages).

Dated: October 4, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE