



IT IS SO ORDERED THAT:

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2 1. Based on the Stipulation of the Parties, the Court hereby orders that Plaintiff may file  
3 his First Amended Complaint forthwith without a motion for leave;

4 2. The filing of Plaintiff's First Amended Complaint is without prejudice as to the  
5 respective rights of the Defendants to answer or file motions challenging the merits of the claims set  
6 forth in the First Amended Complaint;

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8 3. Defendant Metropolitan Life Insurance Company shall file its Response within 14 days  
9 of the date counsel for said Defendant is served electronically with the First Amended Complaint; and

10 4. Defendant Morgan Stanley Smith Barney LLC (appearing as Morgan Stanley & Co.,  
11 Inc.) shall file its Response within 45 days of the date counsel for said Defendant is served electronically  
12 with the First Amended Complaint.  
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14 Date: April 12, 2011



