

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **02-cv-35-JLK** (consolidated with 02-K-46, 02-K-64, 02-K-78, 02-K-137, 02-K-145, 02-K-146, 02-K-152, 02-K-161, 02-K-168, 02-K-304, and 02-K-351)

IN RE RHYTHMS SECURITIES LITIGATION

This document relates to: all actions

MINUTE ORDER

Judge John L. Kane **ORDERS**

Defendants' **Motion for a Phased Oral Argument on their Motion for Summary Judgment (Doc. 246)** is **DENIED**. It is necessary to review the voluminous briefs on Defendants' Motion for Summary Judgment (Doc. 164) as well as the related motions and briefs on expert testimony before a determination that the phased approach Defendants' seek is both appropriate and not prejudicial to Plaintiffs. While the court is open to the idea that limiting its focus first to issues of loss causation and statute of limitations, Plaintiffs may be correct that these issues cannot be viewed in isolation and that the record and law must be viewed as a whole. The court is undertaking the necessary review and will be issuing an order on the question of oral argument and, if such argument is to be held, specifying the issues to be heard.

In a related housekeeping measure, Plaintiffs' **Motion to File Supplemental Memorandum (Doc. 244)** is **GRANTED**.

Dated: February 8, 2008