

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 07-cv-02503-WJM-MJW

FTR - Courtroom A-502

Date: June 09, 2015

Courtroom Deputy, Ellen E. Miller

STEVEN A. STENDER,
HAROLD SILVER, and
INFINITY CLARK STREET OPERATING, L.L.C.,

Kenneth A. Wexler
O. Lee Squitieri
Kara A. Elgersma
Diane V. Smith

Plaintiff(s),

v.

ARCHSTONE-SMITH TRUST,
ARCHSTONE-SMITH OPERATING TRUST,
ERNEST A. GERARDI, JR.,
RUTH ANN M. GILLIS,
NED S. HOLMES,
ROBERT P. KOGOD,
JAMES H. POLK, III,
JOHN C. SCHWEITZER,
R. SCOT SELLERS,
ROBERT H. SMITH,
STEPHEN R. DEMERITT,
CHARLES MUELLER, JR.,
CAROLINE BROWER,
MARK SCHUMACHER,
ALFRED G. NEELY,
TISHMAN SPEYER DEVELOPMENT
CORPORATION,
RIVER HOLDING, LP,
RIVER ACQUISITION (MD), LP,
RIVER TRUST ACQUISITION (MD), LLC,
ARCHSTONE MULTIFAMILY SERIES I TRUST,
ARCHSTONE ENTERPRISE LP,
ARCHSTONE INC.,
LEHMAN BROTHERS HOLDINGS INC.,
ERP OPERATING LIMITED PARTNERSHIP,
EQUITY RESIDENTIAL,
AVALONBAY COMMUNITIES, INC. and
JOHN DOES 1-8,

Jonathan D. Polkes
Caroline J. Hickey Zalka
Frederick J. Baumann
Roger P. Thomasch
Leslie A. Eaton

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: STATUS CONFERENCE

Court in Session: 2:00 p.m.
Court calls case. Appearances of counsel.

The Court raises The Archstone Defendants' Motion to Amend the Class Certification Scheduling Orders [Docket No. 365] for argument. Argument by both sides is heard.

It is ORDERED: The Archstone Defendants' MOTION TO AMEND THE CLASS CERTIFICATION SCHEDULING ORDERS [Docket No. **365**, filed June 03, 2015] is **GRANTED** for reasons as set forth on the record.

The Scheduling Order [Docket No. 335, entered December 15, 2014] is AMENDED:
Rebuttal expert disclosures: **JULY 13, 2015**
Deadline to depose rebuttal experts(s): **JULY 28, 2015**
Deadline for all other class certification discovery, including deposing affirmative experts:
JULY 13, 2015

Deadline for Plaintiffs to file Motion for Class Certification: **JULY 28, 2015**
Deadline for Defendants to file Response: **AUGUST 27, 2015**
Deadline for Plaintiffs to file Reply: **SEPTEMBER 14, 2015**

It is ORDERED: The seven (7) items articulated as a stipulation by the parties is approved as stated on the record. **On or before JUNE 12, 2015**, Plaintiffs shall provide these seven items to Defendants.

Defendants have received 2003-2012 Tax>Returns for Harold Silver.
Defendants have received 2003-2013 Tax>Returns for Steven A. Stender.
Defendants have received 2003-2013 Tax>Returns for Infinity Clark Street Operating, LLC .
Plaintiff has agreed to provide to the Defendants the 2013 Tax-Return of Harold Silver **on or before JUNE 12, 2015**.
It is believed requests for extensions on filing 2014 Tax>Returns for Harold Silver, Steven A. Stender, and Infinity Clark Street Operating, LLC are pending.
Plaintiff shall provide to Defendants the basis for the calculations **on or before JUNE 16, 2015**.

Plaintiffs shall file Supplements to the Defendants' second set of interrogatories **on or before JUNE 16, 2015**.

It is ORDERED: A **STATUS CONFERENCE** is set **JULY 15, 2015 at 1:30 p.m.** (Mountain Time) in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294.

Two hours are set aside for this Status Conference.

Hearing concluded.
Court in recess: 3:14 p.m.
Total In-Court Time 01:19 minutes