

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. **1:12-cv-02941-JLK-KLM**

**CRAIG TELKE**, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

**NEW FRONTIER MEDIA, INC.,  
ALAN ISAACMAN,  
MELISSA HUBBARD,  
HIRAM J. WOO,  
WALTER TIMOSHENKO,  
LFP BROADCASTING, LLC, and  
FLYNT BROADCAST, INC.,**

Defendants.

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Order Concerning November 27, 2012 Hearing

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Kane, J.

For the November 27, 2012 10:00AM hearing, in addition to, of course, being fully prepared to discuss the issues raised in Plaintiff's Motion for Preliminary Injunction, Doc. 7, counsel is advised to be knowledgeable with respect to the following: (1) 10th Circuit case law addressing the necessity of bonds in actions similar to the instant one; and (2) How, if at all, the terminology used in the contested Recommendation Statement differs from previously used terminology in New Frontier corporate literature (*i.e.*, does New Frontier employ default definitions for repeatedly used financial concepts such that definitions are only necessary where a term is used in a fashion atypical for New Frontier or is the failure to define, say, "cash flows" a critical omission tantamount to failure to disclose all material facts, etc.) .

The Court will also hear argument concerning Defendants Motion to Dismiss, Doc. 10, and counsel should prepare accordingly.

Dated: November 21, 2012

BY THE COURT:

**/s/ John L. Kane**

SENIOR U.S. DISTRICT JUDGE