

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

NATIONAL CREDIT UNION)
ADMINISTRATION BOARD, as Liquidating)
Agent of U.S. Central Federal Credit Union,)

Plaintiff,)

v.)

Case No. 11-2340-JWL

RBS SECURITIES, INC., et al.,)

Defendants.)

NATIONAL CREDIT UNION)
ADMINISTRATION BOARD, as Liquidating)
Agent of U.S. Central Federal Credit Union)
and Western Corporate Federal Credit Union,)

Plaintiff,)

v.)

Case No. 11-2649-JWL

WACHOVIA CAPITAL MARKETS LLC,)

Defendant.)

NATIONAL CREDIT UNION)
ADMINISTRATION BOARD, as Liquidating)
Agent of U.S. Central Federal Credit Union)
and Western Corporate Federal Credit Union,)

Plaintiff,)

v.)

Case No. 12-2591-JWL

UBS SECURITIES, LLC, et al.,)

Defendants.)
)
)
)

NATIONAL CREDIT UNION)
ADMINISTRATION BOARD, as Liquidating)
Agent of U.S. Central Federal Credit Union,)
Western Corporate Federal Credit Union, and)
Southwest Corporate Federal Credit Union,)

Plaintiff,)

v.)

Case No. 12-2648-JWL

CREDIT SUISSE SECURITIES (USA) LLC,)
et al.,)

Defendants.)
)
)

NATIONAL CREDIT UNION)
ADMINISTRATION BOARD, as Liquidating)
Agent of U.S. Central Federal Credit Union)
and Western Corporate Federal Credit Union,)

Plaintiff,)

v.)

Case No. 13-2418-JWL

MORGAN STANLEY & CO. INC., et al.,)

Defendants.)
)
)

ORDER

On June 6, 2014, the court ordered the parties to show why a deadline of July 11,

2014, should not be set for joinder of parties in these actions.¹ In letters of June 13, 2014, the parties presented their respective positions.² Having considered these letters, it is hereby

ORDERED that each defendant asserting the defense that NCUA failed to join an indispensable party shall disclose to NCUA by **July 1, 2014**, the identity of any party it contends is indispensable and the reasons for that contention.

IT IS FURTHER ORDERED that by **July 22, 2014**, NCUA shall amend its pleadings to join any indispensable parties. Any motion to dismiss based on a failure to join an indispensable party must be filed by **August 15, 2014**. Any response is due **September 12, 2014**; any reply is due **September 26, 2014**.

IT IS FURTHER ORDERED that a defendant is precluded after **August 15, 2014**, from asserting as an affirmative defense that NCUA has failed to join an indispensable party unless the defendant can demonstrate that such defense is based on subsequently acquired information, in which case a defendant must promptly advise NCUA accordingly.

Dated June 16, 2014, at Kansas City, Kansas.

s/ James P. O'Hara

James P. O'Hara
U.S. Magistrate Judge

¹The show cause order was originally filed in the Southern District of New York on June 2, 2014, and was adopted by this court on June 6, 2014.

²In the District of Kansas cases captioned above, only defendants in case numbers 12-2591 and 13-2418 submitted response letters.