

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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| MASSACHUSETTS MUTUAL LIFE INSURANCE | |) | |
| COMPANY, | |) | Civil Action No. 3:11-30039-MAP-KPN |
| | |) | |
| | Plaintiff, |) | |
| | |) | |
| | v. |) | |
| | |) | |
| DB STRUCTURED PRODUCTS, INC., et al. | |) | |
| | |) | |
| | Defendants. |) | |
| <hr/> | |) | |
| MASSACHUSETTS MUTUAL LIFE INSURANCE | |) | Civil Action No. 3:11-30044-MAP-KPN |
| COMPANY, | |) | |
| | |) | |
| | Plaintiff, |) | |
| | |) | |
| | v. |) | |
| | |) | |
| RBS FINANCIAL PRODUCTS INC. (F/K/A | |) | |
| GREENWICH CAPITAL FINANCIAL PRODUCTS | |) | |
| INC.), et al. | |) | |
| | |) | |
| | Defendants. |) | |
| <hr/> | |) | |
| MASSACHUSETTS MUTUAL LIFE INSURANCE | |) | Civil Action No. 3:11-30047-MAP-KPN |
| COMPANY, | |) | |
| | |) | |
| | Plaintiff, |) | |
| | |) | |
| | v. |) | |
| | |) | |
| DLJ MORTGAGE CAPITAL, INC., et al., | |) | |
| | |) | |
| | Defendants. |) | |
| <hr/> | |) | |

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MASSACHUSETTS MUTUAL LIFE INSURANCE)
COMPANY,)

Civil Action No. 3:11-30048-MAP-KPN

Plaintiff,)

v.)

CREDIT SUISSE FIRST BOSTON MORTGAGE)
SECURITIES CORP., et al.,)

Defendants.)

MASSACHUSETTS MUTUAL LIFE INSURANCE)
COMPANY,)

Civil Action No. 3:11-30094-MAP-KPN

Plaintiff,)

v.)

JPMORGAN CHASE BANK, N.A., et al.,)

Defendants.)

MASSACHUSETTS MUTUAL LIFE INSURANCE)
COMPANY,)

Civil Action No. 3:11-30126-MAP-KPN

Plaintiff,)

v.)

GOLDMAN SACHS MORTGAGE COMPANY, et al.,)

Defendants.)

MASSACHUSETTS MUTUAL LIFE INSURANCE)
COMPANY,) Civil Action No. 3:11-30127-MAP-KPN
)
Plaintiff,)
)
v.)
)
IMPAC FUNDING CORPORATION, et al.,)
)
Defendants.)

MASSACHUSETTS MUTUAL LIFE INSURANCE) Civil Action No. 3:11-30141-MAP-KPN
COMPANY,)
)
Plaintiff,)
)
v.)
)
HSBC BANK USA, NATIONAL ASSOCIATION, et)
al.,)
)
Defendants.)

MASSACHUSETTS MUTUAL LIFE INSURANCE) Civil Action No. 3:11-30215-MAP-RBS
COMPANY,)
)
Plaintiff,)
)
v.)
)
COUNTRYWIDE FINANCIAL CORPORATION, et)
al.,)
)
Defendants.)

_____))
MASSACHUSETTS MUTUAL LIFE INSURANCE) Civil Action No. 3:11-30285-MAP-RBC
COMPANY,))
))
Plaintiff,))
))
v.))
))
MERRILL LYNCH, PIERCE, FENNER & SMITH))
INC., et al.,))
))
Defendants.))
_____)

MAP 5.13.13

**JOINT MOTION FOR APPROVAL OF STIPULATION AND ~~(PROPOSED)~~ ORDER
AMENDING THE EXPERT DISCOVERY SCHEDULE**

WHEREAS, pursuant to the March 5, 2013 Order in 3:11-cv-30039 (Dkt. No. 117), 3:11-cv-30044 (Dkt. No. 101), 3:11-cv-30047 (Dkt. No. 112), 3:11-cv-30048 (Dkt. No. 136), 3:11-cv-30094 (Dkt. No. 173), 3:11-cv-30126 (Dkt. No. 162), 3:11-cv-30127 (Dkt. No. 89), 3:11-cv-30141 (Dkt. No. 95), the March 28, 2013 Order in No. 3:11-cv-30285 (Dkt. No. 141), and the April 10, 2013 Order in No. 3:11-cv-30215 (Dkt. No. 145) (collectively, the “Expert Scheduling Orders”), Plaintiff on April 12, 2013 designated and disclosed information concerning its sampling expert, Dr. Charles Cowan;

WHEREAS, the Expert Scheduling Orders permit Defendants to take Dr. Cowan’s deposition and file their *Daubert* motion no later than May 21, 2013;

WHEREAS, Defendants noticed the deposition of Dr. Cowan, but counsel for the parties have been unable to identify a date on which participating counsel and the witness are available for the deposition prior to May 21, 2013;

WHEREAS, the parties have scheduled Dr. Cowan’s deposition for May 21, 2013, and have agreed to minor adjustments to the Expert Scheduling Orders to allow Defendants time to finalize their *Daubert* motion following completion of the deposition;


WHEREAS, the scheduling adjustments do not alter the date by which all briefing on Defendants' *Daubert* motion will be completed (which remains July 2, 2013), or the date that the Court has set for a hearing on the motion (which remains July 11, 2013);

ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED by and between MassMutual and Defendants, through their undersigned counsel, subject to approval of the Court, that the Expert Scheduling Orders be amended as follows:

- i. Defendants, if they wish, may take Plaintiff's expert's deposition and file their *Daubert* motion challenging Plaintiff's expert no later than May 24, 2013. By said date, Defendants also shall designate and disclose information regarding their sampling expert, if any, in accord with Fed. R. Civ. P. 26(a)(2).
- ii. Plaintiff, if it wishes, may take Defendant's expert's deposition and file its opposition to Defendants' *Daubert* motion by June 20, 2013, to which Defendants may reply by July 2, 2013.

IT IS SO ORDERED.

Dated: May 13, 2013



Michael A. Ponsor
United States District Judge

Dated: May 9, 2013

By: /s/ Kathy B. Weinman
Kathy B. Weinman (BBO #541993)
Azure Abuirmeileh (BBO #670325)
COLLORA LLP
100 High Street, 20th Floor
Boston, Massachusetts 02110
Telephone: (617) 371-1000
Fax: (617) 371-1037
kweinman@collorallp.com
aabuirmeileh@collorallp.com

Of Counsel:

Thomas C. Rice (admitted *pro hac vice*)
David J. Woll (admitted *pro hac vice*)
Alan Turner (admitted *pro hac vice*)

SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, New York 10017
Telephone: (212) 455-2000
Fax: (212) 455-2502
trice@stblaw.com
dwoll@stblaw.com
aturner@stblaw.com

Counsel for Defendants Deutsche Bank Securities Inc., Anilesh Ahuja, Michael Commaroto, Richard D'Albert and Richard Ferguson

Counsel for Defendants RBS Securities Inc., Joseph N. Walsh III, Robert J. McGinnis, Carol P. Mathis and James M. Esposito

Counsel for Defendants UBS Securities LLC and Per Dyrvik

By: /s/ Jeffrey L. McCormick
Jeffrey L. McCormick (BBO #329740)
ROBINSON DONOVAN, P.C.
1500 Main Street, Suite 1600
Springfield, Massachusetts 01115
Telephone: (413) 732-2301
Fax: (413) 785-4658
jmccormick@robinsondonovan.com

*Counsel for Defendants J.P. Morgan Securities LLC,
WaMu Capital Corporation, Joseph T. Jurkowski, Jr.,
David M. Duzyk, Louis Schioppo, Jr., William A. King,
Thomas F. Marano, Michael B. Nierenberg, Jeffrey L.
Verschleiser, David Beck, Diane Novak, and Samuel L.
Molinaro, Jr.*

Of Counsel:

Robert H. Baron (admitted *pro hac vice*)
Daniel Slifkin (admitted *pro hac vice*)
Karin A. DeMasi (admitted *pro hac vice*)
J. Wesley Earnhardt (admitted *pro hac vice*)
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019
Telephone: (212) 474-1000
Fax: (212) 474-3700
rbaron@cravath.com
dslifkin@cravath.com
kdemasi@cravath.com
wearhardt@cravath.com

*Counsel for Defendants J.P. Morgan Securities
LLC, WaMu Capital Corporation, Joseph T.
Jurkowski, Jr., David M. Duzyk, Louis Schioppo,
Jr., and William A. King*

Of Counsel:

Joel C. Haims (admitted *pro hac vice*)
LaShann M. DeArcy (admitted *pro hac vice*)
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Telephone: (212) 468-8000
Fax: (212) 468-7900
jhaims@mofocom
ldearcy@mofocom

*Counsel for Defendants Thomas F. Marano and
Michael B. Nierenberg*

Of Counsel:

Dani R. James (admitted *pro hac vice*)
Jade A. Burns (admitted *pro hac vice*)
KRAMER LEVIN NAFTALIS & FRANKEL
LLP
1177 Avenue of the Americas
New York, NY 10036
Telephone: (212) 715-9100
Fax: (212) 715-8000
djames@kramerlevin.com
jburns@kramerlevin.com

Counsel for Defendant Jeffrey L. Verschleiser

Of Counsel:

Theresa Trzaskoma (admitted *pro hac vice*)
David Elbaum (admitted *pro hac vice*)
BRUNE & RICHARD LLP
One Battery Park Plaza
New York, NY 10004
Telephone (212) 668-1900
Fax: (212) 668-0315
ttrzaskoma@bruneandrichard.com
delbaum@bruneandrichard.com

*Counsel for Defendants David Beck and Diane
Novak*

Of Counsel:

Pamela Rogers Chepiga (admitted *pro hac vice*)

Josephine A. Cheatham (admitted *pro hac vice*)

ALLEN & EVERY LLP

1221 Avenue of the Americas

New York, New York 10020

Telephone: (212) 765-1125

pamela.chepiga@allenoverly.com

allie.cheatham@allenoverly.com

Counsel for Defendant Samuel L. Molinaro, Jr.

By: /s/ Philip A. O'Connell, Jr.
Philip A. O'Connell, Jr. (BBO #649343)
SNR DENTON US LLP
101 Federal Street, Suite 2750
Boston, Massachusetts 02110
Telephone: (617) 235-6802
Fax: (617) 235-6899
philip.oconnelljr@snrdenton.com

Of Counsel:

Sandra D. Hauser (admitted *pro hac vice*)
Patrick E. Fitzmaurice (admitted *pro hac vice*)
SNR DENTON US LLP
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 768-6700
Fax: (212) 768-6800
sandra.hauser@snrdenton.com
patrick.fitzmaurice@snrdenton.com

Counsel for Defendant Matthew E. Perkins

By: /s/ Michael Pastore
Michael Pastore (BBO #669692)
GREENBERG TRAUERIG, LLP
One International Place
Boston, MA 02110
Telephone: (617) 310-6000
Fax: (617) 310-6001
pastorem@gtlaw.com

Of Counsel:

Richard A. Edlin (admitted *pro hac vice*)
Ronald D. Lefton (admitted *pro hac vice*)
Candace Camarata (admitted *pro hac vice*)
GREENBERG TRAUERIG, LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 801-9200
Fax: (212)801-6400
edlinr@gtlaw.com
leftonr@gtlaw.com
camaratac@gtlaw.com

Counsel for Defendant Jeffrey Mayer

By: /s/ Jonathan Sablone
Jonathan Sablone (BBO #632998)
Matthew T. McLaughlin (BBO #660878)
100 Summer Street
Boston, Massachusetts 02110
Telephone: (617) 345-1342
Fax: (866) 947-1729
jsablone@nixonpeabody.com
mmclaughlin@nixonpeabody.com

Of Counsel:

Richard W. Clary (admitted *pro hac vice*)
Julie A. North (admitted *pro hac vice*)
Richard J. Stark (admitted *pro hac vice*)
Michael T. Reynolds (admitted *pro hac vice*)
Lauren A. Moskowitz (admitted *pro hac vice*)
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Fax: (212) 474-3700
rclary@cravath.com
jnorth@cravath.com
rstark@cravath.com
mreynolds@cravath.com
lmoskowitz@cravath.com

*Counsel for Defendants Credit Suisse Securities
(USA) LLC and Jeffrey A. Altabef*

By: /s/ Mark A. Berthiaume
Mark A. Berthiaume (BBO #041715)
GREENBERG TRAURIG, LLP
One International Place
Boston, Massachusetts 02110
Telephone: (617) 310-6007
Fax: (617) 310-6001
berthiaumem@gtlaw.com

Of Counsel:

Richard H. Klapper (admitted *pro hac vice*)
David M.J. Rein (admitted *pro hac vice*)
125 Broad Street
New York, NY 10004-2498
Telephone: (212) 558-4000
Fax: (212) 558-3588
klapperr@sullcrom.com
reind@sullcrom.com

Counsel for Defendant Goldman, Sachs & Co.

By: /s/ Gary R. Greenberg
Gary R. Greenberg (BBO #209420)
GREENBERG TRAUIG, LLP
One International Place
Boston, MA 02110
Telephone: (617) 310-6000
Fax: (617) 310-6001
greenbergg@gtlaw.com

Of Counsel:

Joseph J. Frank (admitted *pro hac vice*)
Steven J. Fink (admitted *pro hac vice*)
Matthew L. Craner (admitted *pro hac vice*)
Charles J. Ha (admitted *pro hac vice*)
ORRICK HERRINGTON & SUTCLIFFE LLP
51 W. 52nd Street
New York, NY 10019
Telephone: (212) 506-5000
Fax: (212) 506-5151
jfrank@orrick.com
sfink@orrick.com
mcraner@orrick.com
charlesha@orrick.com

Counsel for Defendant Barclays Capital Inc.

By: /s/ Joseph F. Ryan

Joseph F. Ryan (BBO #435720)
LYNE, WOODWORTH & EVARTS LLP
12 Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 523-6655
Fax: (617) 248-9877
JRyan@lwelaw.com

Of Counsel:

John M. Conlon (admitted *pro hac vice*)
Michael O. Ware (admitted *pro hac vice*)
Allison J. Zolot (admitted *pro hac vice*)
MAYER BROWN LLP
1675 Broadway
New York, New York 10019-5820
Telephone: (212) 506-2500
Fax: (212) 262-1910
jconlon@mayerbrown.com
mware@mayerbrown.com
azolot@mayerbrown.com

Damien J. Marshall (admitted *pro hac vice*)
Andrew Z. Michaelson (admitted *pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
575 Lexington Avenue, 7th Floor
New York, New York 10022
Tel: (212) 446-2300
Fax: (212) 446-2350
dmarshall@bsflp.com
amichaelson@bsflp.com

Jonathan M. Shaw (admitted *pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue, N.W.
Washington, DC 20015
Tel: (212) 237-2727
Fax: (212) 237-6131
jshaw@bsflp.com

Edward J. Normand (admitted *pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, NY 10504
Tel: (914) 749-8200
Fax: (914) 749-8300
enormand@bsfllp.com

*Counsel for Defendants HSBC Securities (USA)
Inc., Neal Leonard, Gerard Mattia, Todd White and
Jon Voigtman*

By: /s/ Andrea Robinson

Jeffrey B. Rudman (BBO #433380)
Andrea J. Robinson (BBO #556337)
Adam J. Hornstine (BBO #666296)
Nolan Mitchell (BBO # 668145)
Darren Griffis (BBO #675627)
Harriet Hoder (BBO # 679416)

WILMER CUTLER PICKERING HALE AND
DORR LLP

60 State Street

Boston, Massachusetts 02109

Tel: (617) 526-6000

Fax: (617) 526-5000

jeffrey.rudman@wilmerhale.com

andrea.robinson@wilmerhale.com

adam.hornstine@wilmerhale.com

nolan.mitchell@wilmerhale.com

darren.griffis@wilmerhale.com

harriet.hoder@wilmerhale.com

*Counsel for Banc of America Securities LLC,
Merrill Lynch, Pierce, Fenner & Smith Inc.,
George G. Ellison, and Mark I. Ryan*

EGAN, FLANAGAN AND COHEN, P.C.

By: /s/ Edward J. McDonough Jr.

Edward J. McDonough Jr. (BBO 331590)

Stephen E. Spelman (BBO 632089)

Egan, Flanagan and Cohen, P.C.

67 Market Street, P.O. Box 9035

Springfield, Massachusetts 01102

Telephone: (413) 737-0260

Fax: (413) 737-0121

ejm@efclaw.com; ses@efclaw.com

Of counsel:

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

Philippe Z. Selendy (admitted *pro hac*)

Jennifer J. Barrett (admitted *pro hac*)

51 Madison Avenue, 22nd Floor

New York, NY 10010

(212) 849-7000

Fax (212) 849-7100

A. William Urquhart (admitted *pro hac*)

Harry A. Olivar, Jr. (admitted *pro hac*)

Molly Stephens (admitted *pro hac*)

865 South Figueroa Street, 10th Floor

Los Angeles, CA 90017

(213) 443-3000

Fax (213) 443-3100

*Counsel for Plaintiff Massachusetts Mutual Life
Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 9th day of May, 2013.

/s/ Andrea Robinson

Andrea Robinson