

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS MUTUAL LIFE INSURANCE )  
COMPANY, )

PLAINTIFF, )

V. )

DLJ MORTGAGE CAPITAL, INC.; CREDIT )  
SUISSE FIRST BOSTON MORTGAGE )  
SECURITIES CORP.; CREDIT SUISSE )  
SECURITIES (USA) LLC (F/K/A CREDIT SUISSE )  
FIRST BOSTON LLC); ANDREW A. KIMURA; )  
JEFFERY A. ALTABEF; EVELYN ECHEVARRIA, )  
MICHAEL A. MARRIOTT; AND THOMAS )  
ZINGALLI, )

DEFENDANTS. )

Civil Action No.:  
3:11-cv-30047

MAP  
7.15.11

~~PROPOSED~~ ORDER GRANTING DEFENDANTS' MOTION FOR JOINT BRIEFING IN  
SUPPORT OF THEIR MOTIONS TO DISMISS PLAINTIFF'S COMPLAINT, TO EXTEND  
PAGE LIMITS, TO EXTEND TIME TO FILE THEIR MOTIONS, AND TO SET A  
SCHEDULE FOR OPPOSITION AND REPLY BRIEFING

Upon considering Defendants' Motion for Joint Briefing in Support of their Motions to Dismiss Plaintiff's Complaint, to Extend Page Limits, to Extend Time to File their Motions, and to Set a Schedule for Opposition and Reply Briefing, dated April 25, 2011 (the "Motion"), and Plaintiff's opposition to part of such Motion, it is hereby:

**ORDERED** that Defendants' Motion is **GRANTED**; and it is

**FURTHER ORDERED** that Defendants in the five actions listed below (together, the "Actions") are granted leave to file one joint omnibus memorandum of law of up to forty (40) pages addressing common issues in support of the motions to dismiss the Complaints in the five Actions, and supplemental briefs of up to twelve (12) pages by each Defendant group, to address Defendant-specific and case-specific issues:

- *Massachusetts Mutual Life Ins. Co. v. Residential Funding Co., LLC, et al.*, No. 11-cv-30035;
- *Massachusetts Mutual Life Ins. Co. v. DB Structured Prods., Inc., et al.*, No. 11-cv-30039;
- *Massachusetts Mutual Life Ins. Co. v. RBS Fin. Prods. Inc., et al.*, No. 11-cv-30044;
- *Massachusetts Mutual Life Ins. Co. v. DLJ Mortg. Capital, Inc., et al.*, No. 11-cv-30047; and
- *Massachusetts Mutual Life Ins. Co. v. Credit Suisse First Boston Mortg. Sec. Corp., et al.*, No. 11-cv-30048; and it is

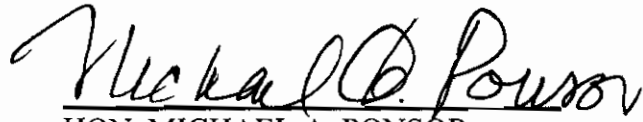
**FURTHER ORDERED** that:

- Defendants' deadline to file their motions to dismiss Plaintiff's Complaints is extended to one week from the date the Court enters this Order;
- Plaintiff's opposition brief(s) are due within 60 days after filing of Defendants' motions to dismiss; and

- Defendants' reply brief(s) are due within 30 days after filing of Plaintiff's opposition brief(s).

**IT IS SO ORDERED.**

SIGNED at Springfield, Massachusetts, this 15<sup>th</sup> day of July, 2011.

A handwritten signature in black ink, reading "Michael A. Ponsor". The signature is written in a cursive style with a large initial "M".

HON. MICHAEL A. PONSOR  
UNITED STATES DISTRICT JUDGE