

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff,

v.

Case No. 06-14891

J.T. BATTENBERG, III, PAUL FREE,  
JOHN BLAHNIK, MILAN BELANS, and  
CATHERINE ROZANSKI,

HON. AVERN COHN

Defendants.

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**MEMORANDUM**

This is a securities fraud case. Plaintiff U.S. Securities and Exchange Commission (the SEC) sued Delphi Corporation and several of its senior officers, accounting staff, and treasury staff, claiming violations of the securities laws. The only defendants who remain are now: J.T. Battenberg, III, Paul Free, John Blahnik, Milan Belans and Catherine Rozanski. Pending before the Court are motions for summary judgment filed by each of the defendants. The SEC has responded to three of the motions; namely, those motions filed by Battenburg, Blahnik, and Rozanski.

The SEC has lodged with the Court an Amended Statement of Facts accompanied by exhibits (138 in all) cited in the Amended Statement of Facts.

On November 19, 2009, the Court held a telephone conference with the parties to discuss the pending summary judgment motions. This memorandum memorializes the Court's comments and sets forth a schedule for further filings and oral argument.

1. The SEC shall file a response to Free and Belans' motions for summary judgment by December 17, 2009.
2. Any of the defendants may file a paper by January 10, 2010 directed to the Amended Statement of Facts. The paper shall not exceed ten (10) pages and shall be directed to the Amended Statement of Facts as it relates to the defendant's involvement or responsibility regarding the transaction(s) at issue for that defendant.
- 3. No papers except as described herein shall be filed.**
4. The Court will hear oral argument on defendants' motions on **Tuesday, January 26, 2010 at 10:00 a.m.**
5. Following argument and decision on the motions, the Court will set a schedule for further proceedings.

Dated: November 19, 2009

s/ Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, November 19, 2009, by electronic and/or ordinary mail.

s/ Julie Owens  
Case Manager, (313) 234-5160