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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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10 MORGAN STANLEY, et al.,

11 Plaintiffs,

2:05-cv-1364-LDG-VCF

12 v.

ORDER

13 HANS JECKLIN, et al.,

14 Defendants.

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16 On December 10, 2013, the magistrate judge conducted a settlement conference, but an
17 agreement was not reached (#386), and the case was returned to the normal litigation track. Four
18 motions for summary judgment are pending (#231, #236, #239 and #321). Also pending is a
19 motion (#363) to reinstate:

- 20 -- Defendants JPC Holding AG, Christiane Jecklin, Hans Jecklin, and Swiss Leisure
21 Group's motion in limine to preclude Morgan Stanley's Expert Witness Simon Platt
22 from offering testimony in support of Morgan Stanley's first cause of action (#232)
- 23 -- Defendant John Tipton's motion in limine to preclude testimony of Simon Platt
24 (#233)

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- 1 -- Defendant George Haerberling's motion to exclude testimony and reports of Simon
2 Platt and joinder in motions to exclude filed by the Jecklin defendants and by
3 defendant Tipton (#234)
4 -- George Haerberling's motion to dismiss (#237), and
5 -- George Haerberling's request to strike plaintiff's improper response to defendants'
6 evidentiary objections (300).

7 Inasmuch as Morgan Stanley's claim of alter ego is now prominently supported by the
8 expert report of Simon Platt, the court finds it judicious to rule on the motions in limine as to the
9 admissibility of Platt's report and testimony before addressing the motions for summary judgment.
10 Accordingly,

11 THE COURT HEREBY ORDERS that a hearing shall be conducted on the 12th of January,
12 2015, at 10:00 a.m., on the admissibility of the expert report and testimony of Simon Platt.

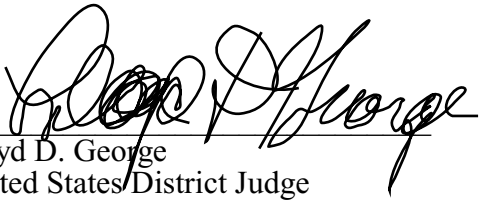
13 THE COURT FURTHER ORDERS that defendants JPC Holding AG, Christiane Jecklin,
14 Hans Jecklin, and Swiss Leisure Group's motion in limine to preclude Morgan Stanley's Expert
15 Witness Simon Platt from offering testimony in support of Morgan Stanley's first cause of action
16 (#232), defendant John Tipton's motion in limine to preclude testimony of Simon Platt (#233), and
17 defendant George Haerberling's motion to exclude testimony and reports of Simon Platt (#234), are
18 are DENIED without prejudice to their reinstatement by the court upon ruling on the admissibility
19 of the expert report and testimony of Simon Platt.

20 THE COURT FURTHER ORDERS that the scheduling of oral arguments on motions
21 #231, #236, #237, and #239 shall be addressed at the January 2015 hearing.

22 THE COURT FURTHER ORDERS that defendants JPC Holding AG, Christiane Jecklin,
23 Hans Jecklin, and Swiss Leisure Group's motion for summary judgment (#231), defendant John
24 Tipton's motion for summary judgment (#236), defendant George Haerberling's motion for
25 summary judgment (#239), Morgan Stanley's motion for summary judgment (#321), and defendant
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1 George Haerberling's motion to reinstate prior motions (#363) are DENIED without prejudice to
2 their reinstatement by the court following the oral arguments set to be scheduled on those motions.

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4 DATED this 29 day of September, 2014.

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7 Lloyd D. George
United States District Judge

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