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15  
16 **UNITED STATES DISTRICT COURT**  
17 **DISTRICT OF NEVADA**

18 MORGAN STANLEY HIGH YIELD  
19 SECURITIES INC., et al.,

20 Plaintiffs,

21 v.

22 HANS JECKLIN, et al.,

23 Defendants.

Case No.: 2:05-cv-01364-RFB-PAL

**STIPULATION AND [PROPOSED]  
ORDER SCHEDULING TRIAL AND  
PRETRIAL CONFERENCE AND  
SETTING DEADLINES TO FILE  
JOINT PRE-TRIAL ORDER,  
MOTIONS IN LIMINE AND OTHER  
PRE-TRIAL SUBMISSIONS**

**(SECOND REQUEST)**

24  
25  
26 WHEREAS, pursuant to the Minutes of Proceedings of the October 26, 2017 Status  
27 Conference [ECF No. 455], jury trial in this matter has been set for March 5, 2018 and the pretrial  
28 conference has been set for February 16, 2018 at 10:00 a.m.;

1           WHEREAS, pursuant to the Court’s Order dated December 12, 2017 [ECF No. 457], the  
2 deadline for filing a Proposed Joint Pretrial Order is January 19, 2018, the deadline for filing exhibit  
3 lists and witness lists is January 19, 2018, the deadline for filing motions *in limine* is January 26,  
4 2018, and the deadline for filing responses to motions *in limine* is February 9, 2018;

5           WHEREAS, the parties are unaware of any current deadline for the filing of proposed  
6 Findings of Fact and Conclusions of Law, Trial Briefs, proposed voir dire questions, agreed upon  
7 jury instructions, verdict forms, and special jury interrogatories as provided for in the Court’s  
8 Chamber Practices and Order Regarding Trial;

9           WHEREAS, pursuant to the Court’s Order dated January 9, 2018 [ECF No. 459], the Court  
10 granted Defendant John Tipton’s Motion to Continue Calendar Call and Trial Date [ECF No. 449]  
11 and ordered: “The parties are directed to submit a joint stipulation with dates for trial in the months  
12 of April or May 2018; the parties should include the pretrial deadlines in their order for this Court’s  
13 consideration due by two weeks.”;

14           WHEREAS, the parties have met and conferred regarding the various filing deadlines and  
15 the proposed trial date, and are filing now file this joint stipulation in compliance with the Court’s  
16 January 9, 2018 Order [ECF No. 459].

17           Based on the forgoing, Plaintiffs Morgan Stanley High Yield Securities Inc., Morgan  
18 Stanley Dean Witter High Income Advantage Trust, Morgan Stanley Dean Witter High Income  
19 Advantage Trust II, Morgan Stanley Dean Witter High Income Advantage Trust III; Morgan  
20 Stanley Variable Investment Series; Morgan Stanley Diversified Income Trust and Morgan Stanley  
21 Select Dimensions Investment Series, by and through their counsel of record, the law firms of  
22 Kolesar & Leatham, Chtd. and Mayer Brown LLP, Defendants Hans Jecklin, Christiane Jecklin,  
23 Swiss Leisure Group AG and JPC Holding AG, by and through their counsel of record, the law  
24 firm of Peterson Baker, PLLC, Defendant George Haerberling, by and through his counsel of record,  
25 the law firm of Dickinson Wright, PLLC, and Defendant John Tipton, by and through his counsel  
26 of record, the law firms of McDonald Carano LLP and Kleinbard LLC, hereby stipulate and agree,  
27 subject to the Court's approval, as follows:

28   ///

1           1.       The deadline to file the Proposed Joint Pretrial Order is extended from January 19,  
2 2018 to February 12, 2018.

3           2.       The deadline to submit exhibit lists and witness lists is extended from January 19,  
4 2018 to February 12, 2018.

5           3.       The deadline to file any motion *in limine* is extended from January 26, 2018 to  
6 February 20, 2018.

7           4.       The deadline to file any responses to any motion *in limine* is extended from February  
8 9, 2018 to March 6, 2018.

9           5.       The pretrial conference in this matter is rescheduled from February 16, 2018 at 10:00  
10 a.m. to April 5, 2018 at 10:00 a.m. in LV Courtroom 7D.

11          6.       The deadline for the parties to file Proposed Findings of Fact and Conclusions of  
12 Law is April 23, 2018;

13          7.       The deadline for the parties to file Trial Briefs is April 23, 2018;

14          8.       In the event that all parties to this action do not consent to withdraw the jury demand  
15 made in this case on or before February 5, 2018, the deadline for the parties to file their proposed  
16 voir dire questions, jury instructions, verdict forms, and special jury interrogatories is April 23,  
17 2018.

18          9.       Jury trial in this matter is set for April 30, 2018 at 9:30 a.m. in LV Courtroom 7D.

19          10.      This is the second request for extension of time for the parties to file the Proposed  
20 Joint Pretrial Order, the submission of exhibit and witness lists, and the deadlines to file any motion  
21 *in limine*.

22                DATED this 16<sup>th</sup> day of January, 2018.

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24    ///  
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27    ///  
28    ///

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IT IS SO ORDERED.



RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED: January 22, 2018.

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