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12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **DISTRICT OF NEVADA**

15 MORGAN STANLEY HIGH YIELD  
 SECURITIES INC.; MORGAN STANLEY  
 16 DEAN WITTER HIGH INCOME  
 ADVANTAGE TRUST; MORGAN  
 17 STANLEY DEAN WITTER HIGH INCOME  
 ADVANTAGE TRUST II; MORGAN  
 18 STANLEY DEAN WITTER HIGH INCOME  
 ADVANTAGE TRUST III; MORGAN  
 19 STANLEY VARIABLE INVESTMENT  
 SERIES; MORGAN STANLEY  
 20 DIVERSIFIED INCOME TRUST; and  
 MORGAN STANLEY SELECT  
 21 DIMENSIONS INVESTMENT SERIES,

22 Plaintiffs,

23 v.

24 HANS JECKLIN, CHRISTIANE JECKLIN;  
 GEORGE HAEBERLING; JOHN TIPTON;  
 25 SWISS LEISURE GROUP AG; and JPC  
 HOLDING AG,

26 Defendants.  
 27

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

**STIPULATION AND [PROPOSED]  
 ORDER EXTENDING DEADLINE TO  
 FILE PRETRIAL ORDER, EXHIBIT  
 LISTS, AND WITNESS LISTS**

28

1           WHEREAS, pursuant to the Court’s Order dated January 22, 2018 (the “January 22, 2018  
2 Order”) [ECF No. 461], the deadline for filing a Proposed Joint Pretrial Order is February 12,  
3 2018, the deadline for the submission of exhibit lists and witness lists is February 12, 2018; the  
4 deadline for filing motions *in limine* is February 20, 2018, and the deadline for filing any  
5 responses to any motion *in limine* is March 6, 2018;

6           WHEREAS, pursuant to the January 22, 2018 Order, the pretrial conference in this matter  
7 is April 5, 2018, at 10:00 a.m. in LV Courtroom 7D;

8           WHEREAS, pursuant to the January 22, 2018 Order, the deadline for the parties to file  
9 Proposed Findings of Fact and Conclusions of Law is April 23, 2018;

10           WHEREAS, pursuant to the January 22, 2018 Order, the deadline for the parties to file  
11 Trial Briefs is April 23, 2018;

12           WHEREAS, pursuant to the Joint Notice of Withdrawal of Demand for Jury Trial dated  
13 February 2, 2018 (“Jury Demand Withdrawal”) [ECF No. 462], all parties have withdrawn their  
14 demand for a jury trial and consented to a bench trial of all claims pending in this matter;

15           WHEREAS, pursuant to the January 22, 2018 Order and the Jury Demand Withdrawal, a  
16 bench trial in this matter is set for April 30, 2018 at 9:30 a.m. in LV Courtroom 7D.

17           WHEREAS, the parties have been working diligently to further narrow the issues to be  
18 resolved in motions *in limine* and at trial;

19           WHEREAS, the parties require additional time to finalize the Proposed Pretrial Order and  
20 their respective exhibit lists and witness lists;

21           Based on the forgoing, Plaintiffs Morgan Stanley High Yield Securities Inc., Morgan  
22 Stanley Dean Witter High Income Advantage Trust, Morgan Stanley Dean Witter High Income  
23 Advantage Trust II, Morgan Stanley Dean Witter High Income Advantage Trust III; Morgan  
24 Stanley Variable Investment Series; Morgan Stanley Diversified Income Trust and Morgan  
25 Stanley Select Dimensions Investment Series, by and through their counsel of record, the law  
26 firms of Kolesar & Leatham, Chtd. and Mayer Brown LLP, Defendants Hans Jecklin, Christiane  
27 Jecklin, Swiss Leisure Group AG and JPC Holding AG, by and through their counsel of record,  
28 the law firm of Peterson Baker, PLLC, Defendant George Haeberling, by and through his counsel

1 of record, H1 Law Group, and Defendant John Tipton, by and through his counsel of record, the  
2 law firms of McDonald Carano LLP and Kleinbard LLC, hereby stipulate and agree, subject to  
3 the Court's approval, as follows:

4 1. The deadline for the parties to file a Proposed Pretrial Order is extended from  
5 February 12, 2018 until February 15, 2018;

6 2. The deadline for the submission of exhibit lists and witness lists is extended from  
7 February 12, 2018 until February 15, 2018;

8 3. This is the third request for an extension of time for the parties to file the Proposed  
9 Joint Pretrial order and the submission of exhibit and witness lists.

10  
11 DATED this 12<sup>th</sup> day of February, 2018.

12 KOLESAR & DEATHAM

PETERSON BAKER, PLLC

13  
14 By: 

By: /s/ Benjamin K. Reitz

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17  
18 IT IS SO ORDERED.

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20 RICHARD F. BOULWARE, II  
21 United States District Judge

22 Dated: February 13, 2018.

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26  
27 *Morgan Stanley High Yield Securities Inc., et al. v. Hans Jecklin, et al.*/2:05-cv-01364-RFB-PAL  
28 Stipulation and [Proposed] Order Extending Deadline to File Pretrial Order, Exhibit Lists, and Witness Lists