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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13 February 2, 2018 (“Jury Demand Withdrawal”) [ECF No. 462], all parties have withdrawn their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 12th day of February, 2018.

12 KOLESAR & LEATHAM

PETERSON BAKER, PLLC

13
14 By: 

By: /s/ Benjamin K. Reitz

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Attorneys for Defendant John Tipton

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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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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