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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

U.S. COMMODITY FUTURES TRADING COMMISSION,	
Plaintiff,	**Civil Action No. 2:13-cv-00992-MMD-VCF**
v.	**JOINT STIPULATION AND [PROPOSED] ORDER FOR MODIFICATION TO SCHEDULING ORDER TO EXTEND DATE OF PARTIES' RESPONSES TO MOTIONS FOR PARTIAL SUMMARY JUDGMENT BY 7 (SEVEN) DAYS**
BANC DE BINARY LTD., E.T. BINARY OPTIONS LTD., BO SYSTEMS LTD., BDB SERVICES LTD., and OREN SHABAT LAURENT (a/k/a OREN SHABAT AND OREN COHEN)	
Defendants.	**(Tenth Request)**

WHEREAS, Plaintiff U.S. Commodity Futures Trading Commission ("Commission" or "CFTC") filed its Complaint against Defendant Banc de Binary Ltd. ("BdB Ltd.") on June 5, 2013;

WHEREAS, the Court entered a Joint Discovery Plan and Scheduling Order on August 26, 2013 [DE # 40];

WHEREAS, the Court stayed discovery on November 25, 2013 pending resolution of Defendant's motion to dismiss the Complaint [DE #43], and that stay remained in effect until February 20, 2014 when it was lifted following the Court's denial of the Defendant's motion to dismiss [DE #44];

WHEREAS, the Court entered an Amended Scheduling Order on March 7, 2014 [DE # 46];

WHEREAS, the CFTC amended its complaint on May 6, 2014 to add parties ET Binary Options, Ltd.; BO Systems, Ltd.; BDB Services, Ltd.; and Oren Shabat Laurent (a/k/a Oren Shabat and Oren Cohen) (collectively, including BdB Ltd., referred herein as "Defendants") [DE # 52];

WHEREAS, the Parties filed on May 7, 2014 a Stipulation for Modification of Scheduling Order (Second Request) to extend the discovery deadline date from July 11, 2014 to January 9, 2015, and extend the dispositive motion deadline from August 11, 2014 until February 11, 2015 [DE # 54];

WHEREAS, the Court entered a Modified Scheduling Order on May 8, 2014, which extended the discovery deadline from July 11, 2014 to January 9, 2015, and extended the dispositive motion deadline from August 11, 2014 to February 11, 2015 [DE # 55];

WHEREAS, the Parties filed on October 16, 2014 a Stipulation for Modification of Scheduling Order (Third Request) to extend the deadline for the Plaintiff's expert disclosures from November 7, 2014 to December 5, 2014, and the deadline for Defendant's rebuttal expert disclosures from December 8, 2014 to January 5, 2015 [DE # 69];

WHEREAS, the Court entered a Modification to the Scheduling Order on October 16, 2014, which set a deadline for the Plaintiff's expert disclosures for December 5, 2014, and Defendant's rebuttal expert disclosures for January 5, 2015 [DE # 70];

WHEREAS, on November 20, 2014, Defendants filed a Motion for Partial Summary Judgment [DE # 74]; on November 21, 2014, a Motion for Partial Stay of Discovery [DE # 76]; and on November 22, 2014, a Motion for Protective Order as to certain deposition notices [DE # 77];

WHEREAS, the Commission filed on December 2, 2014 a Motion to Compel Defendants to Produce Documents and Interrogatory Responses ("Motion to Compel") [DE # 80];

WHEREAS, the Commission filed December 5, 2014 a Motion to Extend the Time To Submit Expert Disclosures and Report under the Scheduling Order (Fourth Request) by one week from December 5, 2014 to December 12, 2014 [DE # 81];

WHEREAS, the Court entered an order granting the Commission's Motion to Extend Time to Submit Expert Disclosures and Report from December 5, 2014 to December 12, 2014 [DE # 101];

WHEREAS, on December 15, 2014, the CFTC filed a Motion to Deny or Defer Defendants' Motion for Partial Summary Judgment Pursuant to Fed. R. Civ. P. 56(d) [DE # 91]

pending the completion of discovery and to thereafter set a briefing schedule on Defendants Motion for Partial Summary Judgment;

WHEREAS the Court entered an order on January 15, 2015 denying Defendants' Motion for Partial Stay of Discovery [DE # 101];

WHEREAS, the Court entered an order on February 11, 2015 [DE # 103] denying Defendants Motion for a Protective Order as to the conduct of certain depositions, granting the Commission's motion to compel the production of documents and interrogatory responses, and denying the Commission's request to modify the scheduling order to extend the discovery period (which request was contained within the Commission's motion to compel [DE # 80]) absent the filing by the Commission of a separate motion to modify the scheduling order;

WHEREAS, the Commission filed on February 26, 2015 an Unopposed Motion for Modification of Scheduling Order (Fifth Request) to extend the deadline for the close of discovery from January 9, 2015 until May 6, 2015 in light of the Court's ruling granting the Commission's motion to compel, and to extend the deadline for dispositive motions from February 11, 2015 until June 6, 2015 [DE # 106];

WHEREAS, the Court entered a Modification to the Scheduling Order on March 24, 2015, which set a deadline for the close of discovery of May 6, 2015 and a deadline for dispositive motion of June 6, 2015. [DE # 114];

WHEREAS, the Defendants filed on April 7, 2015 an Unopposed Motion for Modification of Scheduling Order (Sixth Request) to extend the deadline for the close of discovery from May 6, 2015 until May 20, 2015 for the Commission to take the depositions of Defendants, including the deposition of Defendant Oren Shabat Laurent, given their

unavailability for earlier deposition, and to extend the deadline for dispositive motions from June 6, 2015 until June 20, 2015 [DE # 117];

WHEREAS, the Court entered a Modification to the Scheduling Order on April 8, 2015, which set a deadline for the close of discovery of May 20, 2105 and a deadline for dispositive motions of June 20, 2015 [DE # 118];

WHEREAS, discovery closed on May 20, 2015;

WHEREAS, the Parties filed on May 20, 2015 a Stipulation for Modification of Scheduling Order (Seventh Request) to extend the dispositive motion deadline by two weeks from June 20, 2015 until July 3, 2015 [DE # 124];

WHEREAS, on June 2, 2015, the Court entered an order granting the Stipulation for Modification to Scheduling Order, setting the dispositive motion deadline for July 3, 2015, and Proposed Joint Pretrial Order deadline for August 6, 2015 [DE # 127];

WHEREAS, the Parties filed on June 9, 2015 a Stipulation for Briefing Schedule on Defendants' Motion for Partial Summary Judgment, to set the deadline for the Commission to submit its response to the Defendants' Motion for Partial Summary Judgment on the same date as the July 3, 2015 due date set for dispositive motions [DE # 129];

WHEREAS, the Court conducted a status hearing with the parties on June 16, 2015 on the Stipulation for Briefing Schedule on Defendants' Motion for Partial Summary Judgment and entered an order, in relevant, (i) denying as moot Plaintiff's Motion to Deny or Defer Defendants' Motion for Partial Summary Judgment Pursuant to Fed. R. Civ. P. 56(d); and (ii) granting the stipulation for modification to scheduling order as requested in the Stipulation for

Briefing Scheduling, DE # 129, and setting the deadline for the CFTC's response on Defendants' Motion for Partial Summary Judgment for July 3, 2015 [DE # 131];

WHEREAS, the Parties filed on June 29, 2015 a Stipulation for Modification of Scheduling Order (Eighth Request) to extend the dispositive motion deadline from July 3, 2015 to July 17, 2015 to allow them to engage in good faith settlement negotiations [DE # 134];

WHEREAS, on June 23, 2015, the CFTC filed a Motion to Supplement the Factual Record in Support of its Motion for Contempt for Defendants' Violation of Injunction ("Motion to Supplement") [DE #133]; the Motion for Contempt was originally filed by the CFTC with the Court on April 9, 2014 [DE #51];

WHEREAS, on June 30, 2015, the Court entered an order granting the Stipulation for Modification to Scheduling Order and extended the dispositive motion deadline from July 3, 2015 to July 17, 2015 [DE # 135];

WHEREAS, the Parties filed on July 10, 2015 a Stipulation for Modification of Scheduling Order (Ninth Request) to extend the deadline (a) for dispositive motions, including the CFTC's response to Defendants' Motion for Partial Summary Judgment from July 17, 2015 to July 24, 2015; (b) the deadline for the parties' joint pretrial from September 3, 2015 to September 10, 2015; and (c) the deadline for Defendants' to file their response to the CFTC's Motion to Supplement from July 10, 2015 to July 14, 2015 [DE # 138]; and, on July 14, 2015, the Court granted the parties stipulation for modification to the scheduling order [DE # 140];

WHEREAS on July 24, 2015 Defendants [DE # 145] and the CFTC [DE #146] filed their respective Motions For Partial Summary Judgment, Statements of Undisputed Facts, and supporting exhibits thereto;

WHEREAS, on August 11, 2015, the Court held a hearing on the CFTC's Motion for Contempt [DE #48] and Motion to Supplement [DE #133] and issued an order [DE #152] that, among other things, found the Defendants in civil contempt and issued findings that Defendants violated the terms of the Preliminary Injunction Order, and ordered Defendants to pay reasonable attorney fees related directly to the CFTC's Motion for Contempt [DE # 48] and the CFTC's Motion to Supplement filed in connection with the Motion for Contempt DE #133];

WHEREAS, the parties have continued their settlement discussions and believe in good faith that they will know by early the week of August 17, 2015 whether the parties have reached an agreement in principle on settlement terms as between CFTC counsel and the Defendants;

WHEREAS, the parties stipulate and agree to a seven (7) day extension to file responses to the parties' respective Motions for Partial Summary Judgments [DE ## 145-146] in order to permit the parties time to determine whether they have reached an agreement in principle on settlement as between CFTC counsel and the Defendants;

FOR THE REASONS SET FORTH ABOVE, IT IS HEREBY STIPULATED by and among counsel for the CFTC and counsel for the Defendants that:

1. Responses to the Defendants' and CFTC's respective Motions for Partial Summary Judgment shall be extended from August 17, 2015 to August 24, 2015; and

2. The deadline for the parties' joint pretrial order shall be extended from September 10, 2015 to September 17, 2015. Any objections thereto shall be included in the pretrial order.

Dated: August 13, 2015

ATTORNEYS FOR PLAINTIFF
U.S. COMMODITY FUTURES
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By: /s/ Kathleen Banar

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Joint Pretrial Order due September 17, 2015

SO ORDERED:

_____
U.S. MAGISTRATE JUDGE

Date: August 17, 2015

CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2015, I electronically filed the foregoing **Joint Stipulation for Modification to Scheduling Order to Extend Date of Parties' Response to Motions for Partial Summary Judgment by 7 (Seven) Days** with the Clerk of the Court using the CM/ECF system and thereby caused service of the foregoing document via electronic notice on all parties and counsel of record.

August 13, 2015

/s/ *Kim G. Bruno*
One of the Attorneys for Plaintiff