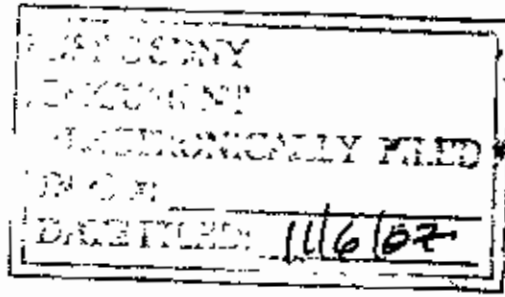


B. 11/6/07

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



**ROBERT H. BORK,**  
Plaintiff,

07-CV-4826 (NRB)

v.

**DISCOVERY PLAN**

**THE YALE CLUB OF NEW YORK CITY,**  
Defendant.

**DISCOVERY PLAN PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 26(f)**

Pursuant to Federal Rule of Civil Procedure 26(f), counsel for plaintiff Robert H. Bork and counsel for defendant the Yale Club of New York City conferred by telephone and agreed to the following discovery plan:

**I. DISCOVERY**

**A. Initial Disclosures**

The parties will exchange initial disclosures under Fed. R. Civ. P. 26(a)(1) no later than November 8, 2007.

**B. Fact Discovery**

1. Both plaintiff and defendant shall serve their first request for production of documents, pursuant to Fed. R. Civ. P. 34, no later than November 8, 2007.

2. Both plaintiff and defendant shall serve any notices of deposition, pursuant to Fed. R. Civ. P. 30, no later than December 6, 2007.

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3. Non-party subpoenas for documents or depositions must be served no later than December 6, 2008.

4. Depositions of parties and non-parties shall be scheduled at a mutually-convenient time and place.

5. All non-expert discovery must be completed by January 14, 2008.

**C. Expert Discovery**

1. Plaintiff shall submit any expert report(s) by January 21, 2008. Defendant shall submit any expert report(s) by January 28, 2008. Any responsive report(s) shall be submitted by February 4, 2008.

2. Expert depositions, if any, will take place between February 11, 2008 and February 15, 2008.

**D. Conclusion of All Discovery**

1. All discovery shall be completed by February 15, 2008.

**II. Dispositive Motions**

A. Dispositive motions, if any, shall be filed by February 29, 2008.

B. Oppositions to dispositive motions shall be filed by March 12, 2008.

C. Reply briefs shall be filed by March 19, 2008.

For good cause, any party may seek amendment or modification of the foregoing schedule. The parties by agreement may amend or modify any of the dates herein.

DATED: New York, New York  
November 2, 2007

GIBSON, DUNN & CRUTCHER LLP

By: [Signature]  
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Attorneys for Plaintiff Robert H. Berk

DATED: New York, New York  
November 2, 2007

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Attorney for Defendant the Yale Club of New  
York City

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SO ORDERED:

[Signature]

U.S.D.J.

11/5/07