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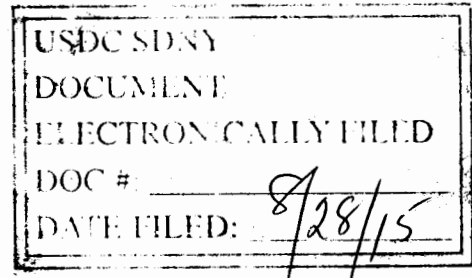
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August 26, 2015

VIA FAX

Judge Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: *Anwar, et al v. Fairfield Greenwich Limited, et al.*
Master File No. 09-CV-00118 (VM) (THK)

Dear Judge Marrero:

I write on behalf of my client, PricewaterhouseCoopers LLP ("PwC Canada"), and defendant (PricewaterhouseCoopers Accountants N.V. ("PwC Netherlands") (collectively, the "PwC Defendants"), to seek a modification of the schedule endorsed by the Court on April 22, 2015.

As the Court will recall from the conference it held with the parties on April 14, 2015, the current schedule was endorsed by the Court on the assumption that the PwC Defendants' petition pursuant to Rule 23(f) of the Federal Rules of Civil Procedure seeking review of the Court's March 3, 2015 order re-certifying the plaintiff class would be ruled upon by the Second Circuit prior to September 1, 2015. The petition remains pending.

As the Court acknowledged while the PwC Defendants prior 23(f) petition was pending with the Second Circuit, it would be inappropriate and inefficient to require the parties to file motions for summary judgment absent certainty as to whether the plaintiffs are pursuing individual or class claims, and the same holds true of course, in spades, for the other pre-trial filings and trial itself.

The PwC Defendants propose, and plaintiffs do not object, that the current schedule be adjusted so as to avoid the expenditure of time and resources by the parties in the event the petition is granted. If the petition is denied prior to September 24, the following proposed schedule would still allow for trial to commence on January 4, 2016 as currently planned. The PwC Defendants reserve the right to seek a further modification of the schedule should the petition remain pending. Plaintiffs reserve all their rights with respect to any further

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modification of the schedule and in particular any delay of the trial. Plaintiffs believe that the matters raised in the previous paragraph should be addressed in light of all circumstances, including completion of discovery last year, the Court's recent SLUSA ruling and the time that the parties have had since April to prepare for trial.

The proposed schedule modifies only the first four dates set forth below. Beginning with the November 2, 2015 deadline, the schedule remains unchanged:

- September 24, 2015: Plaintiffs provide defendants with draft pre-trial submissions, including designations of depositions.¹
- October 1, 2015: Parties to file any summary judgment motions by this date, or a party may defer, without prejudice, the filing of its summary judgment motion (or Rule 50 motion) until the close of the opposing parties' case-in-chief. Under either procedure, no response to any such motions shall be filed pending further instruction of the Court. Defendants object to the foregoing procedure, and reserve the right to seek reconsideration.
- October 1, 2015: Parties to file any *Daubert* motions, with responses due 30 days thereafter and replies 15 days thereafter.
- October 8, 2015: Defendants provide plaintiffs with draft pre-trial submissions, including designations of depositions.
- November 2, 2015: Parties to file final pre-trial joint submissions in accordance with Court's standing trial procedures, together with objections to designated deposition testimony. Parties to file motions *in limine*, with responses due 14 days thereafter and replies 7 days thereafter.
- December 1, 2015: Case ready for Final Pre-Trial Conference.
- January 4, 2015: Jury trial of 6 weeks commences. Plaintiffs believe the trial can be concluded in 4-6 weeks. Defendants believe the trial will require 8-12 weeks.

If necessary, the parties are available to discuss the foregoing at the Court's convenience.

¹ The Court's standing Trial Procedures shall govern the parties' pre-trial submissions.


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Respectfully,

Timothy A. Duffy, P.C. /ef
Timothy A. Duffy, P.C.

cc: Counsel of Record (via e/mail)

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by the parties. The revised schedule is approved.
SO ORDERED.
078-15 
DATE VICTOR MARRERO, U.S.D.J.