



Civil Procedure 26, to produce a privilege log in support of their interrogatory responses; and

- whether the Court should permit Plaintiff to serve additional document requests seeking certain categories of documents outlined in the August 21, 2020, joint status letter;

WHEREAS, pursuant to the parties' Fourth Amended Civil Case Management Plan and Scheduling Order, (Dkt. No. 615), the deadline for the completion of fact discovery was July 20, 2020; it is hereby

**ORDERED** that, because Defendants Barclays plc, Citicorp, JPMorgan Chase & Co., Royal Bank of Scotland plc and UBS AG have provided or have agreed to provide Plaintiffs with verified versions of their interrogatory responses, Plaintiffs objection to the subject interrogatory responses of Barclays plc, Citicorp, JPMorgan Chase & Co., Royal Bank of Scotland plc and UBS AG, on the ground that they were not verified pursuant to Federal Rule of Civil Procedure 33, is overruled as moot. It is further

**ORDERED** that, for substantially the reasons stated in Defendants' portion of the August 21, 2020, joint status letter (Dkt. No. 23), including that the Court's Order at Dkt. No. 572 granted permission to serve interrogatories on the HSBC Defendants -- HSBC North America Holdings, Inc. and HSBC Bank USA, N.A. -- but did not grant permission to serve interrogatories on non-party HSBC Holdings plc, it was not proper for Plaintiffs to serve interrogatories on HSBC Holdings plc, and HSBC Holdings plc is not required to supplement any responses it has provided already to Plaintiffs. It is further

**ORDERED** that, because Defendants Barclays plc, JPMorgan Chase & Co., Royal Bank of Scotland plc, Citibank and UBS AG do not have an obligation, under Federal Rule of Civil

Procedure Rule 26, to produce a privilege log in support of interrogatory responses but do have an obligation to provide facts sufficient to support any privilege objections to the interrogatories, Plaintiffs shall provide Defendants with a letter identifying (1) any privilege objections they believe are not sufficiently supported and (2) the information need to sufficiently support any identified objections, and the parties shall meet and confer to discuss each identified objection and to attempt to resolve any outstanding issues. It is further

**ORDERED** that, Plaintiffs' requests for permission to serve additional document requests is DENIED for substantially the reasons outlined in Defendants' portion of the August 21, 2020, joint status letter (Dkt. No. 623), including, that the requests are untimely, and the deadline for the completion of all fact discovery was July 20, 2020, (Dkt. No. 615). It is further

**ORDERED** that, the issues of Plaintiffs' request to take certain depositions and the timing of Plaintiffs' production of their final amended expert report in support of class certification will be discussed at tomorrow's conference.

Dated: September 9, 2020  
New York, New York

  
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**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**