

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

PACIFIC LIFE INSURANCE COMPANY and  
PACIFIC LIFE & ANNUITY COMPANY,

Plaintiffs,

-against-

THE BANK OF NEW YORK MELLON,

Defendant.

Case No. 17-cv-01388-KPF -RWL

~~PROPOSED~~ **SUMMARY JUDGMENT SCHEDULING ORDER**

On December 4, 2020, the parties submitted a joint letter setting forth their respective positions regarding summary judgment briefing. After review of the parties' proposals, the following briefing schedule shall apply to the forthcoming summary judgment motions:

- Defendant shall file its summary judgment motion, with a memorandum of law not to exceed fifty (50) pages, 60 days after the resolution of the parties' pending *Daubert* motions [ECF Nos. 150, 152, 154, 156, 158, and 161],
- Plaintiffs shall file a combined cross-motion for summary judgment and opposition to Defendant's motion for summary judgment, with a memorandum of law not to exceed seventy-five (75) pages, 60 days after Defendant's summary judgment motion,
- Defendant shall file its opposition to Plaintiffs' cross-motion for summary judgment and reply in support of its motion for summary judgment, with a memorandum of law not to exceed fifty (50) pages, 60 days after Plaintiffs' opposition and cross-motion for summary judgment,
- Plaintiffs shall file a reply in support of their motion for summary judgment, with a memorandum of law not to exceed twenty-five (25) pages, 30 days after Defendant's reply and opposition to Plaintiffs' cross-motion for summary judgment.

**SO ORDERED.**

SO ORDERED:

12/14/2020

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

December 14, 2020  
New York, New York