

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**STEVEN B. AUBREY,** §  
**BRIAN E. VODICKA, and** §  
**CHESTER D. TUTOR,** §  
**Plaintiffs,** §

**V.** §

**A-10-CV-076-SS**

**PETER E. BARLIN, GREGORY H. LAHR,** §  
**SANDRA F. GUNN, VICTOR WOLF,** §  
**WILLIAM HEMPHILL, BORIS** §  
**SEREBRO, DENNIS E. NIXON, JOHN** §  
**LLOYD, PETER A. DWYER, DOUGLAS** §  
**KADISON, CHARLES NICHOLS,** §  
**CHRISTOPHER BOURNE, WILD HORSE** §  
**INVESTMENTS, LTD., NORTH** §  
**AMERICAN TITLE COMPANY, LESLEY** §  
**KAREN WILLIAMS, JEFFREY TURNER,** §  
**VITALY ZARETSKY, and GENNADY** §  
**BOROKHOVICH,** §  
**Defendants.** §

**ORDER**

Before the Court are the following motions and their associated responses, replies, and supplements:

- (1) Defendant William Hemphill’s Unopposed Motion to Establish/Extend the Deadline to Answer or Otherwise Respond to the First Consolidated Amended Complaint (Dkt. No. 369);
- (2) Defendant William Hemphill’s Second Unopposed Motion to Establish/Extend the Deadline to Answer or Otherwise Respond to the First Consolidated Amended Complaint (Dkt. No. 386);
- (3) Defendant William Hemphill’s Motion to Extend His Responsive Motion or Answer Deadline (Dkt. No. 401);
- (4) Defendant Vitaly Zaretsky’s Motion to Quash Subpoenas (Dkt. No. 412); Plaintiffs’ Response to the Motion (Dkt. No. 419);

- (5) Defendant North American Title Company's Motion to Quash Plaintiffs' Subpoena to IBC Bank (Dkt. No. 415); Plaintiffs' Response to the Motion (Dkt. No. 426);
- (6) Plaintiffs' Unopposed Motion to Exceed Page Limit in Response to Count III Defendants' Motions to Dismiss Plaintiffs' Claims Pursuant to Rule 12(b)(6) (Dkt. No. 422);
- (7) Plaintiffs' Unopposed Motion to Extend the Deadline to Respond to Defendant Boris Serebro's Motion to Dismiss Pursuant to Rules 8, 9(b) and 12(b)(6) (Dkt. No. 429); and
- (8) Defendants Gregory Lahr and Sandra Gunn Unopposed Motion to Extend the Deadline to Respond to Plaintiffs' Partial Motion for Summary Judgment as to Fiduciary Duties (Dkt. No. 441).

The District Court referred the above non-dispositive motions to the undersigned Magistrate Judge for resolution pursuant to 28 U.S.C. §636(b)(1)(A), FED. R. CIV. P. 72, and Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Local Rules for the Assignment of Duties to United States Magistrate Judges. Having considered the above-motions, and noting that the motions are either unopposed or resolved by the parties, the Court now enters the following orders:

**IT IS ORDERED** that Defendant William Hemphill's Unopposed Motion to Establish/Extend the Deadline to Answer or Otherwise Respond to the First Consolidated Amended Complaint (Dkt. No. 369); Defendant William Hemphill's Second Unopposed Motion to Establish/Extend the Deadline to Answer or Otherwise Respond to the First Consolidated Amended Complaint (Dkt. No. 386); and Defendant William Hemphill's Motion to Extend His Responsive Motion or Answer Deadline (Dkt. No. 401) are **GRANTED**. Defendant Hemphill filed his Motion to Dismiss Plaintiffs' Claims Pursuant to Rule 12(b)(6) on November 2, 2013. *See* Dkt. No. 446.

**IT IS FURTHER ORDERED** that Defendant Vitaly Zaretsky's Motion to Quash

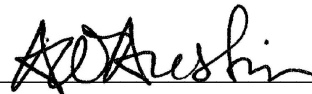
Subpoenas (Dkt. No. 412) and Defendant North American Title Company's Motion to Quash Plaintiffs' Subpoena to IBC Bank (Dkt. No. 415) are **DISMISSED AS MOOT** pursuant to the parties representation that they have resolved their disputes with respect to these two motions.

**IT IS FURTHER ORDERED** that Plaintiffs' Unopposed Motion to Exceed Page Limit in Response to Count III Defendants' Motions to Dismiss Plaintiffs' Claims Pursuant to Rule 12(b)(6) (Dkt. No. 422); Plaintiffs' Unopposed Motion to Extend the Deadline to Respond to Defendant Boris Serebro's Motion to Dismiss Pursuant to Rules 8, 9(b) and 12(b)(6) (Dkt. No. 429); and Defendants Gregory Lahr and Sandra Gunn Unopposed Motion to Extend the Deadline to Respond to Plaintiffs' Partial Motion for Summary Judgment as to Fiduciary Duties (Dkt. No. 441) are **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiffs shall have up to and including Thursday, November 7, 2013, to respond to Defendant Boris Serebro's Motion to Dismiss Pursuant to Rules 8, 9(b) and 12(b)(6) that was filed on October 14, 2013.

**IT IS FURTHER ORDERED** that Defendants Gregory Lahr and Sandra Gunn shall have up to and including Friday, November 8, 2013, to respond to Plaintiffs' Partial Motion for Summary Judgment as to Fiduciary Duties filed on October 18, 2013.

SIGNED this 6th day of November, 2013.



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ANDREW W. AUSTIN  
UNITED STATES MAGISTRATE JUDGE