

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

SARATOGA ADVANTAGE TRUST,  
On Behalf of Itself  
and All Others  
Similarly Situated and  
THEODORE HYER,

Plaintiffs,

v.

Civil Action No. 2:08-0011

ICG, INC. a/k/a INTERNATIONAL  
COAL GROUP, INC.,  
WILBUR L. ROSS, JR.,  
BENNETT K. HATFIELD,  
WENDY L. TERAMOTO, and  
WILLIAM D. CAMPBELL,

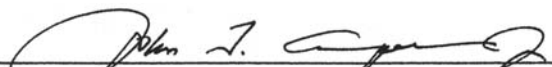
Defendants.

ORDER

On July 20, 2009 the named parties (other than Theodore Hyer) filed a proposed stipulated schedule regarding lead plaintiff's first amended class action complaint. The court accepts the stipulation to the extent hereinafter set forth. It is ORDERED that defendants shall respond to the first amended class action complaint by August 6, 2009. In the event defendants respond by filing a motion to dismiss, plaintiffs shall respond to the motion by August 20, 2009. Defendants' reply to the response shall be filed by August 31, 2009.

The Clerk is directed to forward copies of this order  
to all counsel of record.

DATED: July 21, 2009

  
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John T. Copenhaver, Jr.  
United States District Judge