

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

SECURITIES AND EXCHANGE  
COMMISSION

Plaintiff,

VS.

MEGAFUND CORPORATION,  
ET AL.

Defendants.

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NO. 3-05-CV-1328-L

**ORDER**

No dispositive motions have been filed by the July 28, 2006 deadline established by the court. *See* INIT. SCH. ORDER, 3/27/06 at 1, ¶ 1. It therefore appears that this case must be tried.

The parties shall submit a joint status report by **September 1, 2006**. This report must contain the following information:

- (a) A proposed trial date and estimated length of trial;
- (b) Whether any party has made a jury demand;
- (c) The status of settlement negotiations and whether this case is appropriate for mediation or some other form of alternative dispute resolution. In this connection, the parties are advised that the court typically requires mediation prior to trial. Counsel are directed to confer on a mediator and a date for mediation. These matters should be addressed in the joint status report. If any party objects to mediation, the basis for such an objection must be set forth in the report;
- (d) Whether the parties will consent to trial before the magistrate judge; and
- (e) Any other matters relevant to the status or disposition of the case.

The joint status report must be signed by all counsel of record or, if a party is not represented by counsel, by the unrepresented party. Anyone who fails to sign the report will be subject to sanctions. If the parties cannot agree on a particular recommendation, the report must set forth the nature of the disagreement and explain why agreement could not be reached. The court will resolve any disputes based on the written submissions of the parties.

The court will set this case for trial and schedule a pretrial conference after the parties file their joint status report. The order will establish trial-type deadlines, including a deadline for submitting a joint pretrial order, witness lists, exhibit lists, deposition excerpts, and a proposed jury charge or findings of fact and conclusions of law. Deadlines will also be established for filing motions in limine and other trial-related motions.

Any questions concerning this order should be directed to Judi Andrew, Judicial Assistant to Judge Kaplan, at (214) 753-2400.

SO ORDERED.

DATED: August 14, 2006.

  
JEFF KAPLAN  
UNITED STATES MAGISTRATE JUDGE