

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

MICHAEL J. QUILLING, as Receiver
for Sardaukar Holdings, IBC and
Bradley C. Stark

Plaintiff,

VS.

JOHN W. STARK, JR., ET AL.

Defendants.

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NO. 3-05-CV-1976-BD

ORDER SETTING CASE FOR TRIAL

This scheduling order will govern the trial of this cause and all related deadlines:

1. **Trial.** This case is specially set for a jury trial on **April 30, 2007** at **9:00 a.m.** The trial date will not be postponed or continued except upon written motion for good cause shown.
2. **Pretrial Conference.** A final pretrial conference will be held on **April 27, 2007** at **9:00 a.m.** Trial counsel for all parties shall attend the final pretrial conference. Counsel shall be familiar with the case and authorized to state their client's position, make stipulations, and enter into agreements to facilitate the trial of this cause. The final pretrial conference will be conducted in accordance with Fed. R. Civ. P. 16(d).
3. **Pretrial Materials.** A joint pretrial order shall be filed by **April 20, 2007.** The pretrial order shall contain: (a) a list of all witnesses who will testify at trial; (b) a list of all exhibits that will be introduced into evidence at trial; (c) a list of all deposition excerpts that will be offered into evidence at trial; and (d) those items specified in Local Rule 16.4. All counsel are responsible for preparing this joint pretrial order.

All exhibits must be marked, exchanged with opposing counsel, and submitted to the court by **April 20, 2007**. The exhibits submitted to the court must be indexed, tabbed, and placed in three-ring binders.

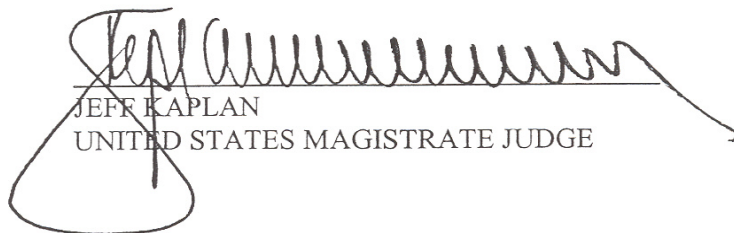
A proposed jury charge, trial briefs, motions in limine, and other trial-related motions must be filed by **April 20, 2007**.

4. **Additional Matters.** In the parties' joint status report, the Receiver states that he intends to file a motion for summary judgment with respect to defendants' counterclaim before trial. However, the deadline for filing dispositive motions expired on October 24, 2006. *See* Init. Sch. Order, 6/16/06, *as modified by* Orders, 8/9/06 & 8/28/06. The court will not entertain any motions for summary judgment except upon written motion for good cause shown.

The failure to comply with any part of this order may result in the imposition of sanctions. *See* FED. R. CIV. P. 16(f).

SO ORDERED.

DATED: February 22, 2007.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE