

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/23/2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE	:	MDL No. 1409
	:	
CURRENCY CONVERSION FEE	:	M 21-95
ANTITRUST LITIGATION	:	
	:	
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THIS DOCUMENT RELATES TO:	:	Index No. 05 CV 07116 (WHP)
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ROBERT ROSS, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
BANK OF AMERICA, N.A. (USA), et al.,	:	
	:	
Defendants.	:	
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SCHEDULING ORDER

On review of the joint submission of Class Plaintiffs, defendants Citigroup and Discover, and settling defendants Bank of America, Capital One, Chase and HSBC, the Court finds that while the parties have made substantial progress in discovery, an extension of the period for fact discovery is warranted. Therefore, the dates specified Paragraphs 6, 8, 9 and 10 of the Scheduling Order entered March 9, 2009 are amended and the dates for the respective events and activities shall be as follows:

1. Fact discovery shall be completed by May 21, 2010.
2. Due dates with respect to merits expert reports are as follows:
 - (a) Plaintiffs' merits expert report(s) shall be served by June 23, 2010, and their experts made available for deposition with respect to such reports by July 16, 2010. If

plaintiffs submit an expert report or declaration from Oren Bar-Gill, his deposition shall occur on or before July 9, 2010.

(b) Defendants' expert report(s) shall be served by August 6, 2010, and their experts made available for deposition with respect to such reports by August 20, 2010.

(c) Plaintiffs' rebuttal expert report(s), if any, shall be served by September 3, 2010, and the experts who have submitted such rebuttal reports made available for deposition with respect to such reports by September 24, 2010.


3. In accordance with the Court's Rules of Individual Practice, the parties will submit pre-motion letters regarding any dispositive motions no later than September 30, 2010.

4. The parties will submit a joint letter to the Court concerning the status of the case on May 28, 2010, with the letter to be followed by a status conference with the Court.

With respect to defendant National Arbitration Forum ("NAF"), which was added as a defendant after the commencement of discovery and which moved to dismiss the claims against it (denied January 15, 2010), the parties are directed to confer further and to submit, within two weeks of the docketing of this Order, either (i) an agreed proposed scheduling order with respect to NAF or (ii) their contested proposed orders concerning scheduling with regard to NAF.

Dated: January 22, 2010

SO ORDERED:


The Hon. William H. Pauley, III, U.S.D.J.