

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

R.J. ZAYED,  
*In His Capacity As Court-Appointed  
Receiver For The Oxford Global  
Partners, LLC, Universal Brokerage FX,  
and Other Receiver Entities,*

CIVIL NO. 13-232 (DSD/JSM)

Plaintiff,

v.

ORDER FOR  
PRETRIAL CONFERENCE

ASSOCIATED BANK, N.A.,

Defendant.

TO: Plaintiff above named and to Brent Elswick, Esq. and Brian W. Hayes, Esq.,  
attorneys for plaintiff;

Defendant above named and to Alex C. Lakatos, Esq. and Charles F. Webber,  
Esq., attorneys for defendant.

If counsel for all parties are not listed above, it is the responsibility of counsel for  
plaintiff to (1) immediately notify those parties and counsel of this conference, and  
(2) inform those parties and counsel of the requirements set forth in this notice.

Failure of any party or counsel to comply with any part of this Order, **including  
providing a copy of the Rule 26(f) Report, confidential settlement letter and proposed  
protective order (if any party believes a protective order is necessary) to Magistrate  
Judge Mayeron by the date specified in this Order**, may result in the postponement of  
the pretrial conference, an imposition of an appropriate sanction on the party, company or  
attorney who failed to comply, or both.

**I. DATE, TIME, PLACE AND PARTICIPANTS**

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16 of the Rules of this District, a pretrial conference of trial counsel in the above matter will be held in Chambers 9E, U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, on **April 7, 2015 at 3:00 p.m.** before United States Magistrate Judge Janie S. Mayeron to consider the matters set forth in Rule 16(c), the Rule 26(f) disclosures, and related matters.

Counsel who will be trying the case should make every effort to be present **in person** at the conference. If this is not possible, substitute counsel should attend who can knowledgeably discuss the dispute and the matters set forth in Rule 16(c), the Rule 26(f) disclosures, and related matters.

**II. MEETING, REPORTS AND DISCLOSURES REQUIRED**

A. Pursuant to Federal Rule of Civil Procedure 26(f), trial counsel for each party shall confer in person or by telephone on or before **March 17, 2015** to discuss (a) settlement, and (b) to prepare the report required by Rule 26(f) and Local Rules 16.2 and 26.1. In order to assist counsel in their discussion of electronically stored information, as required by Rule 26(f) and Form 3 of the Local Rules for the District of Minnesota, the Court refers counsel to the "Discussion of Electronic Discovery at Rule 26(f) Conferences: A Guide for Practitioners" developed by the Federal Practice Committee to help attorneys prepare for meaningful discussion of electronic discovery issues in Rule 26(f) conferences. This Guide is available on the Court's website, under the Court Forms tab, in the pretrial, discovery, and trial forms section.

B. If the case does not settle, no later than **March 24, 2015**, counsel shall jointly prepare and file with the Clerk of Court on ECF ("Electronic Case Filing") a complete

written report of the Rule 26(f) meeting. The written report of the Rule 26(f) meeting shall contain the information required by Form 3 of the Local Rules.

C. Each party shall also submit a letter to Magistrate Judge Mayeron concerning settlement which shall remain confidential between the Court and that party. This confidential letter shall describe the following information: (a) the status of settlement discussions to date; (b) whether you are interested in participating in a voluntary settlement conference with the Magistrate Judge; (c) if you are interested in participating in a voluntary settlement conference with the Magistrate Judge, when you believe this settlement conference should take place.

D. If any party believes that a protective order to govern discovery is necessary, the parties shall submit to the Magistrate Judge a joint proposed protective order. See Local Rule 26.1 and Forms 5 and 6.

E. In addition to filing the Rule 26(f) Report on ECF, the Report, the confidential settlement letter and proposed protective order shall be emailed to chambers at mayeron\_chambers@mnd.uscourts.gov on or before **March 24, 2015**. Further, on the same date, the joint proposed protective order shall be emailed to chambers as a Word document.

**III. EXERCISE OF JURISDICTION BY U.S. MAGISTRATE JUDGE PURSUANT TO TITLE 28, UNITED STATES CODE, SECTION 636(c)**

If the parties consent to have this matter tried before the Magistrate Judge, all counsel are requested to sign the enclosed form by **April 7, 2015**, and electronically file said form pursuant to Section II, Part F, of the Electronic Case Filing Procedures for the District of Minnesota (Civil).

**IV. PRACTICE POINTERS AND PREFERENCES**

Please refer to Magistrate Judge Mayeron's Practice Pointers and Preferences which may be found on the Court's website or the Minnesota Federal Bar Association website.

Dated: March 6, 2015

*s/ Janie S. Mayeron*

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JANIE S. MAYERON

United States Magistrate Judge