

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

U. S. Commodity Futures Trading
Commission,

Civil No. 09-3332 MJD/FLN

Plaintiff,

v.

PRETRIAL SCHEDULE

Trevor Cook, et al.,

Defendants.

and

United States Securities and
Exchange Commission,

Civil 09-3333 MJD/FLN

Plaintiff,

v.

Trevor Cook, et al.,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the Plaintiffs, the Receiver, New York Community Bank, and Wells Fargo have agreed to the following schedule which shall govern this proceeding as between the Receiver, on the one hand, and New York Community Bank and Wells Fargo on the other. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

1. Discovery/Non-Dispositive Motions:
 - a. All discovery shall be commenced in time to be completed by March 11, 2011.

- b. All nondispositive motions and supporting documents, including those which relate to discovery, shall be filed and served by March 18, 2011. Nondispositive motions may be scheduled for hearing by calling Cathy Orlando, Calendar Clerk to Magistrate Judge Franklin L. Noel, 612-664-5110. All nondispositive motions shall be scheduled, filed and served in compliance with Local Rules 7.1, 37.1 and 37.2.

2. Dispositive Motions:

- a. All dispositive motions shall be filed, briefed and scheduled for hearing prior to May 1, 2011.
- b. Counsel are reminded that they must anticipate the time required for scheduling this hearing by calling Calendar Clerk Kristine Wegner at (612)664-5073.
- c. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures and with Local Rule 7.1.

3. Trial

- a. This case shall be ready for trial no later than July 1, 2011, at which time it will be placed on the court's non-jury trial calendar.

DATED: November 16, 2010.

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge