

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
(WEST PALM BEACH DIVISION)**

JONATHAN E. PERLMAN, Esq., as  
court appointed Receiver of Creative  
Capital Consortium, LLC, et. al.,

CASE NO. 11-80331-CIV/HURLEY

Plaintiff,

vs.

BANK OF AMERICA, N.A.,

Defendant.

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~~(PROPOSED)~~ ORDER  
**RE-SETTING TRIAL DATE & DISCOVERY DEADLINES**

**THIS CAUSE** has come to be considered at the February 1, 2012 Court-ordered Status Conference, and pursuant to Defendant's Motion for Extension of Time of Trial Date and Case Management Deadlines (Dkt. 58) and related briefing. Upon consideration of the foregoing Motion and related briefing, and pursuant to the agreements reached at the February 1, 2012 Status Conference, the original Order Setting Trial Date & Discovery Deadlines, Referring Case to Mediation & Referring Discovery to United States District Court Magistrate Judge ("Original Scheduling Order" at Dkt. 8), shall be amended solely to the extent set forth below. It is thereupon, **ORDERED** and **ADJUDGED**:

**Trial Date & Location**

1. This case is now set for trial on the **November/December 2012 Trial Calendar** <sup>6-7</sup> ~~(8-9)~~ week docket), which commences on Monday, November 5, 2012. Counsel for all parties shall appear at a calendar call commencing at 8:30 a.m. on Thursday, ~~October~~ <sup>November</sup> 1, 2012, in courtroom 5 at the U.S. Courthouse 701 Clematis Street, West Palm Beach, Florida.

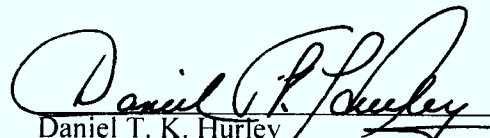
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**Pre-Trial Discovery Schedule**

2. Pretrial Discovery shall be conducted in accordance with Local Rule 16.1 and Rule 26(a) of the Federal Rules of Civil Procedures. The following pre-trial deadlines amend and therefore supersede the deadlines set forth in the Original Scheduling Order [Dkt. 8]:

<u>Rule 26(a)(2) Expert Testimony Disclosures, including Expert Reports</u>	April 27, 2012
<u>Fact and Expert Discovery Cutoff</u>	May 25, 2012
<u>Summary Judgment Motions</u>	June 15, 2012
<u>Mediation Conference</u>	60 days before calendar call
<u>Rule 26(a)(3) Witness and Exhibit List Exchange</u>	30 days before calendar call
<u>Oral Argument on Summary Judgment Motions</u>	TBD -- Early October, 2012
<u>Motions in Limine</u>	5 days before calendar call
<u>Pretrial Stipulation</u>	5 days before calendar call (note Local Rule 16.1.E)
<u>Exhibit Inspection</u>	5 days before calendar call
<u>Voir Dire Questions</u>	First day of jury trial
<u>Jury Instructions</u>	First day of jury trial
<u>Proposed Findings of Fact &amp; Conclusions of Law</u>	First day of non-jury trial

**DONE and SIGNED** in Chambers at West Palm Beach, Florida, this 13 day of March, 2012.

  
Daniel T. K. Hurley  
United States District Judge

*Copies provided to counsel*