

2. The Parties have met and conferred extensively on the number of fact witness deponents and further conferred on the relevance of certain deponents and hereby stipulate that Defendants may exceed the 10-deposition limit by an additional three (3) depositions, for a total of thirteen (13) depositions, excluding expert depositions:

3. The Parties further agree that expert depositions will also be necessary and any expert depositions taken by either party shall not count towards any limit of depositions under the Federal Rules of Civil Procedure.

4. The Parties further agree that each party reserves its right to, where necessary pursuant to Rule 30(a)(2), seek leave of this Court to take additional depositions (or substitute deponents) beyond those described herein, if during the course of discovery additional witnesses are identified that would possess relevant discoverable information and would necessarily assist the factual development of a party's claim or defense without being cumulative or duplicative of prior deponents.

5. The Parties further agree that Rothstein Kass shall pay for the cost of a court reporter and videographer for any depositions it takes that exceed the 10-deposition per side limit.

6. The Parties further agree that Rothstein Kass shall provide the Receiver a copy of the deposition transcript (and all exhibits) for the depositions of Malone Bailey, Trenton Thornock, David Kovacs, and the U.S. Securities and Exchange Commission. Rothstein Kass shall provide the Receiver a copy of the deposition transcript upon its receipt of the same. Rothstein Kass shall not be responsible for paying expedited costs to procure a copy of any deposition transcript for the Receiver unless Rothstein Kass likewise requests an expedited copy of the particular transcript.

7. The parties further agree that, should the Receiver decide that he wishes to call Gilbert Steedley as a live witness at trial, or to use the transcript of Mr. Steedley's deposition testimony taken in *Jinsun, L.L.C., et al. v. Rothstein, Kass & Company, PLLC*, No. CC-17-06249-C (Cty. Ct. at Law No. 3, Dallas Cty., Tex. filed Nov. 28, 2017) ("*Jinsun* Action") in any manner as evidence in this case, then he will so advise counsel for Rothstein Kass by no later than September 15, 2020, and the Receiver shall thereafter consent to Rothstein Kass deposing Mr. Steedley as an additional witness in excess of the ten deposition limit.

SO ORDERED June 19, 2020



SIDNEY A. FITZWATER
SENIOR JUDGE

Agreed as to form:

Dated: June 19, 2020

/s/ Nicolas Morgan
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STIPULATION AND ORDER

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Dated: June 19, 2020

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