

Additionally, the Court's May 7, 2020, Trial Setting Order [Doc. 48] established an April 19, 2021, Trial Setting date.

With the exception of two fact witness depositions and resolution of discovery motion matters, fact and expert discovery is now complete. By February 2, 2021, briefing on motions for summary judgment will be complete pursuant to the Court's November 12, 2020 order [Doc. 86].

II. JOINT ESTIMATE OF TRIAL LENGTH

The Parties will be ready for trial of this matter during the two week trial docket window beginning April 19, 2021 set by this Court in its May 7, 2020 Trial Setting Order [Doc. 48]. The Receiver anticipates that he will be able to put on his case, including opening and closing arguments, in 4-5 days, or 25-30 hours of actual trial time. The Defendants anticipate they will be able to put on their case, including opening statements and closing arguments, in 8-10 days, or 48 to 60 hours of actual trial time. Thus, the Parties' combined anticipated trial length is 12 to 15 days, or roughly 73 to 90 hours of trial time.

III. STATUS OF SETTLEMENT NEGOTIATIONS

The parties have engaged in limited written and oral settlement discussions prior to and during this litigation. While those settlement discussions have not been successful, the parties have scheduled a mediation with Hon. Jeff Kaplan (Ret.) on January 20, 2021.

Date: November 16, 2020

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served to all counsel of record in accordance with the Federal Rules of Civil Procedure on November 16, 2020 via electronic mail.

/s/ Nicolas Morgan

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