

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: X Adv. Proc. No. 08-01789 (SMB)
:
BERNARD L. MADOFF INVESTMENT : SIPA LIQUIDATION
SECURITIES LLC, :
:
Debtor. : (Substantively Consolidated)
:
----- :
PERTAINS TO THE FOLLOWING CASE: :
:
IRVING H. PICARD, Trustee for the :
Liquidation of Bernard L. Madoff Investment :
Securities LLC, :
:
Plaintiff, : Adv. Proc. No. 09-1182 (SMB)
:
-v- :
:
J. EZRA MERKIN, GABRIEL CAPITAL, :
L.P., ARIEL FUND LTD., ASCOT :
PARTNERS, L.P., ASCOT FUND LTD., :
GABRIEL CAPITAL CORPORATION, :
:
Defendants. :
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X

FOURTEENTH AMENDED CASE MANAGEMENT PLAN

Irving H. Picard (“Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC and the consolidated estate of Bernard L. Madoff, Ralph C. Dawson, as Receiver for Defendant Ascot Partners, L.P., and Defendants Ascot Fund Ltd., J. Ezra Merkin, and Gabriel Capital Corporation (“Defendants”) (collectively, “Parties”) in the above-captioned adversary proceeding, seek to modify the March 21, 2016, Thirteenth Amended Case Management Plan (ECF No. 313) pursuant to Fed. R. Civ. P. 16(a)(4), as incorporated by Fed. R. Bank. P. 7016.

1. Hearing on Defendants’ Motions for Summary Judgment: Oral argument on Defendants’ Motions for Summary Judgment will be held on June 1, 2016 at 10:00AM before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States

Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York
10004-1408.

2. Pretrial Briefing and Disclosures: The following shall be the schedule for Pretrial Briefing and Disclosures.

a. *July 15, 2016*:

- i. Motions *in Limine* due.
- ii. Parties will exchange Preliminary Witness Lists.
- iii. Parties will exchange Pre-Marked Exhibits.
- iv. Parties will exchange Deposition Testimony Designations.

b. *August 12, 2016*:

- i. Oppositions to Motions *in Limine* filed on July 15, 2016, due.
- ii. Motions *in Limine* concerning witnesses or documents disclosed on July 15, 2016, due.

c. *September 9, 2016*:

- i. Replies in support of Motions *in Limine* filed on July 15, 2016, due.
- ii. Oppositions to Motions *in Limine* filed on August 12, 2016, due.

d. *September 30, 2016*:

- i. Replies in support of Motions *in Limine* filed on August 12, 2016, due.

e. *October 28, 2016*:

- i. Joint Pretrial Conference Order due.
- ii. Pretrial Briefs due.

3. Final Pretrial Conference: The final pretrial conference will be held on a date and time scheduled by the Court before the Honorable Stuart M. Bernstein, United States Bankruptcy

Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

4. Trial: Trial shall commence on a date and time scheduled by the Court before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

SO ORDERED.

Dated: May11, 2016
New York, New York

/s/ STUART M. BERNSTEIN
STUART M. BERNSTEIN
United States Bankruptcy Judge