

- d. If no motion to compel is filed, all discovery shall be concluded by March 9, 2010.
- e. If a motion to compel is filed, all depositions shall be concluded within 14 days after the Court's ruling on such motion (or, if the Court grants the motion and orders the production of documents that were the subject of the motion, depositions shall conclude within 14 days of such production).¹
- f. In accordance with the original schedule set by the Court in its December 4, 2009 Opinion and Order, Mr. Cuban's supplemental brief and evidence appendix shall be due within 21 days of the completion of all discovery, the SEC's supplemental brief and evidence appendix, if any, shall be filed within 21 days of the filing of Mr. Cuban's supplemental brief and evidence appendix, and Mr. Cuban's supplemental reply brief shall be filed within 14 days of the filing of the SEC's supplemental brief and evidence appendix, if any.

SIGNED this the 22nd day of January, 2010.



SIDNEY A. FITZWATER
CHIEF UNITED STATES DISTRICT JUDGE

¹ If a motion to compel is filed, any deposition that involves any documents that are the subject of the motion will be postponed until the Court has ruled on the motion.