



**ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL AND DENYING MOTION OF FORMER EMPLOYEES TO QUASH SUBPOENAS**

Upon consideration of: (i) *Motion of Former Employees to Quash Subpoenas* (Adv. Dkt. No. 70, the "Motion to Quash"); (ii) *Plaintiffs' Motion to Compel and Response to Motion of Former Employees to Quash Subpoenas* filed by UBS Securities LLC and UBS AG London Branch (together, "UBS"), along with the Memorandum of Law, Tomkowiak Declaration, and Appendix filed in support of the Motion (Adv. Dkt. No. 74-76, collectively, the "UBS Motion"); (iii) *Former Employees' Response to UBS Motion to Compel*, along with the *Brief in Support of Former Employees' Response to UBS Motion to Compel and Reply in Support of the Former Employees' Motion to Quash* (Adv. Dkt. No. 86-87); and (iv) all exhibits which UBS and the Former Employees stipulated were admissible for the purposes of the June 24, 2021 hearing on the Motion to Quash and the UBS Motion (Exhibits 1- 24 of Adv. Dkt. No. 89 and Exhibits 1-7 of Adv. Dkt. No. 90); and it appearing that this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue of this proceeding and the Motions is proper in this District pursuant to 28 U.S.C. §§ 1408-1409; and due, adequate, and sufficient notice of the Motions having been given; and after due deliberation and for the reasons stated on the record at the hearing conducted June 24, 2021, it is hereby **ORDERED**:

1. The UBS Motion is GRANTED;
2. The Former Employees must produce any documents responsive to the Production Subpoenas within 7 days from the date of entry of this Order;
3. Mr. Ellington, Mr. Leventon, Mr. Sevilla, and Mr. DiOrio must all appear for deposition pursuant to their respective Deposition Subpoenas by no later than Sunday, July 25, 2021;

4. Counsel for the Former Employees shall promptly inform counsel for UBS of the anticipated date on which Ms. Lucas's maternity leave will terminate;

5. Ms. Lucas shall appear for deposition pursuant to the Deposition Subpoena by no later than 30 days after the termination of her maternity leave;

6. The Motion to Quash is DENIED; and

7. Each side shall bear its own costs.

**### End of Order ###**

Order prepared by:

**LATHAM & WATKINS LLP**

By /s/ Andrew Clubok

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