

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: Medley LLC, ¹ Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant(s).	Adv. Proc. No. 23-50121 (KBO) Re: Docket No. 8

**CERTIFICATION OF COUNSEL REGARDING STIPULATION
EXTENDING SCHEDULING ORDER DEADLINES**

The undersigned hereby certifies as follows:

1. On March 3, 2023, the plaintiff in the above-captioned case (the “Plaintiff”) filed an adversary complaint [Adv. Docket No. 1] with the United States Bankruptcy Court for the District of Delaware (the “Court”).

2. On June 23, 2023, the defendant in the above-captioned case (the “Defendant,” together with the Plaintiff, the “Parties”) filed *Eversheds Sutherland (US) LLP’s Answer, Affirmative Defenses and Counterclaim to Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548 and 550* [Adv. Docket No. 4].

¹ The Debtor’s current mailing address is c/o Medley LLC Liquidating Trust, c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, DE 19701.



3. On February 13, 2024, this Court approved a Scheduling Order [Adv. Docket No. 8] (the “Scheduling Order”) setting various deadlines related to discovery and case management.

4. The Parties have mutually agreed to extend certain deadlines set forth in the Scheduling Order. A stipulation (the “Stipulation”) reflecting the agreement of the Parties is attached to the proposed order (the “Order”) as Exhibit 1.

WHEREFORE, the Plaintiff respectfully requests that the Court enter the Order attached hereto as Exhibit A, approving the Stipulation.

Dated: July 10, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Sameen Rizvi

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Counsel for the Plaintiff

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: Medley LLC, Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Adv. Docket No. _____

**ORDER APPROVING STIPULATION EXTENDING
CERTAIN DEADLINES IN SCHEDULING ORDER**

This Court, having considered the Stipulation Extending Scheduling Order Deadlines (the "Stipulation"), attached hereto as **Exhibit 1**, between the above-captioned Plaintiff, Medley LLC Liquidating Trust, and the Defendant, Eversheds Sutherland (US) LLP, and the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further or additional notice of the Stipulation must be given; it is hereby:

ORDERED that the Stipulation is APPROVED.

EXHIBIT 1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: Medley LLC, ¹ Debtor.	Chapter 11 Case No. 21-10526 (KBO)
MEDLEY LLC LIQUIDATING TRUST, Plaintiff, v. EVERSHEDS SUTHERLAND (US) LLP, Defendant.	Adv. Proc. No. 23-50121 (KBO) Re: Adv. Docket No. 8

STIPULATION EXTENDING SCHEDULING ORDER DEADLINES

This stipulation (the “Stipulation”) is entered into by and between the Medley LLC Liquidating Trust (“Plaintiff”) and Eversheds Sutherland (US) LLP (“Defendant,” and together with Plaintiff, the “Parties”). The Parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

RECITALS

WHEREAS, on March 3, 2023, Plaintiff filed its Complaint to Avoid and Recover Transfers Pursuant to 11 U.S.C. §§ 544, 547, 548, and 550 [ECF No. 1], in the above-captioned case (the “Complaint”);

WHEREAS, on June 23, 2023, Defendant filed its Answer, Affirmative Defenses and Counterclaim to the Complaint [ECF No. 4];

¹ The Debtor’s current mailing address is c/o Medley LLC Liquidating Trust, c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, DE 19701.

WHEREAS, on July 14, 2023, Plaintiff filed its Reply to Counterclaim [ECF No. 5];

WHEREAS, on February 12, 2024, Plaintiff, after conferring with Defendant, filed the Certification of Counsel Regarding Scheduling Order [ECF No. 7], submitting the proposed Scheduling Order [ECF No. 7-1] (the “Proposed Scheduling Order”) agreed to by the Parties;

WHEREAS, on February 13, 2024, the Court approved the Proposed Scheduling Order and entered the final Scheduling Order [ECF No. 8] (the “Scheduling Order”) setting various deadlines related to discovery and case management;

WHEREAS, paragraph 12 of the Scheduling Order provides that “[d]eadlines contained in this Scheduling Order may be extended by written agreement of the parties or upon written motion or stipulation for cause shown;”

WHEREAS, on June 12, 2024, the Parties agreed in writing to extend the deadlines in the Scheduling Order by thirty (30) days;

WHEREAS, on July 9, 2024, the Parties agreed in writing to extend the deadlines in the Scheduling Order by an additional thirty (30) days and wish to further memorialize and clarify such agreement in this Stipulation;

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED that:

1. The recitals set forth above are hereby incorporated in full and made a part of this Stipulation.
2. All deadlines in the Scheduling Order are extended by a total of sixty (60) days.
3. For the avoidance of doubt, the current schedule as agreed to by the Parties, accounting for Fed. R. Bankr. P. 9006, is as follows:
4. All fact discovery shall be completed no later than September 10, 2024.

5. Any expert report required pursuant to Fed. R. Civ. P. 26(a)(2)(B) shall be served by the party which bears the burden of proof for that issue no later than thirty (30) days after the close of fact discovery, with such deadline being October 10, 2024. Any party's expert report intended to rebut any other expert report, including any other expert reports that may be filed earlier than the deadlines established in this subparagraph, shall be provided no later than thirty (30) days after the report being rebutted; provided, however, that in no event shall the thirty (30) day period start prior to August 10, 2024. All reports shall provide the information required by Fed.R.Civ.P. 26(a)(2)(B). All expert discovery, including any depositions of experts, shall be completed by no later than December 16, 2024.

6. All dispositive motions shall be filed and served no later than January 15, 2025, and shall be subject to Local Rule 7007-1.

7. No later than August 12, 2024, the parties shall file a Stipulation Regarding Appointment of a Mediator setting forth the mediator selected by the parties.

8. Within ninety (90) days after the entry of an order assigning the Adversary Proceeding to a mediator, the mediator shall either (a) file the mediator's certificate of completion, or (b) if the mediation is not concluded, file a status report that provides the projected schedule for completion of the mediation.

9. The parties shall file, no later than three (3) business days prior to the date set for trial, their Joint Pretrial Memorandum approved by all counsel and shall contemporaneously deliver two (2) copies thereof to Judge Owens's Chambers.

10. As soon as is feasible after the close of all expert discovery, the Plaintiff shall contact the Court to schedule a final pretrial conference in accordance with Local Rule 7016-2(a).

11. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of the Adversary Proceeding subject to this Scheduling Order and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible. The Plaintiff shall immediately advise Chambers, in writing, of any occurrence or circumstance that the Plaintiff believes may suggest or necessitate the adjournment or other modification of the trial setting.

12. Nothing in this Stipulation shall be construed to prevent the Parties from agreeing to further extensions as appropriate.

13. This Stipulation may be executed in counterparts, and a facsimile or photocopy of this Stipulation, and the signatures hereto, shall have the same effect, and may be accepted with the same authority, as the original.

Dated: July 10, 2024

/s/ James S. Carr

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