Docket #0034 Date Filed: 5/13/2016

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

In re: TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., TelexFree.	Chapter 11 Cases 14-40987-MSH 14-40988-MSH 14-40989-MSH Jointly Administered
STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiffs, v. RITA DOS SANTOS, INDIVIDUALLY AND AS PUTATIVE CLASS REPRESENTATIVE, AND MARIA MURDOCH, ANGELA BATISTA JIMENEZ, ELISANGELA OLIVEIRA AND DIOGO DE ARAUGO, AS PUTATIVE CLASS REPRESENTATIVES, Defendants.	Adversary Proceeding No. 15-04055

RULE 26(f) CERTIFICATION AND DISCOVERY PLAN

Pursuant to Fed. R. Civ. P. 26(f), Fed. R. Bankr. P. 7026, and M.L.B.R. 7016-16, Stephen Darr, as he is Trustee of the Chapter 11 Estates of TelexFree, LLC, TelexFree, Inc. and TelexFree Financial, Inc. (the "Trustee"), and the Defendants Rita Dos Santos, Maria Murdoch, Angela Batista Jimenez, Elisangela Oliveira and Diogo De Araugo (collectively, the "Defendants"), and in accordance with this Court's Order directing the parties to file a joint

proposed form of pre-trial order [Docket No. 30], hereby submit the following proposed Discovery Schedule and Pre-Trial Order:

1. Initial Disclosures.

The parties agree and stipulate that the required initial disclosures shall be exchanged no later than May 19, 2016.

2. Discovery.

a. Written Discovery

All written discovery, including answers to Interrogatories and Request for Production of Documents shall be served so that all responses will be due on or before July 29, 2016. The parties agree that the time for responding to Request for Production of Documents and Interrogatories is shortened to fifteen (15) days from the date of service if service is made by e-mail, or twenty (20) days if served by mail.

b. Depositions

All depositions other than depositions of experts shall be noticed and completed by August 31, 2016.

3. Experts.

a. Reports

If the parties intend to offer an expert, an expert report shall be provided prior to September 15, 2016.

b. Depositions of Experts

If an expert is timely designated and a report timely provided, all depositions of experts shall be noticed and completed by September 30, 2016.

4. Dispositive Motions.

The parties may serve dispositive motions at any time prior to September 30, 2016. If a dispositive motion is filed, the opposing party shall have twenty (20) days to respond and the moving party shall have seven (10) days to reply.

5. Joint Pre-Trial Memorandum.

The parties shall submit a joint pre-trial memorandum on October 14, unless dispositive motions have been filed, in which case the parties shall submit a joint pre-trial memorandum fourteen (14) days following the Court's ruling on the dispositive motions to the extent that issues remain for trial thereafter.

6. Prior Proceedings

a. The parties agree that the Court may but is not required to consider any of the evidentiary record with respect papers filed and evidence admitted in the main bankruptcy cases of TelexFree, LLC, TelexFree, Inc. and TelexFree Financial, Inc., Case Numbers 14-40987-MSH through 14-40989-MSH.

b. The parties also agree that the Court may take judicial notice of documents filed in the multi-district litigation proceeding, captioned *In re: TelexFree Securities Litigation*, 4:14MD-02566-TSH, currently pending before the United States District Court for the District of Massachusetts.

c. The Court shall not be required to take notice of any paper, testimony or exhibit from the prior proceeding unless expressly referred to by the parties.

7. Certificate of Conference.

The parties have met and discussed this proposed Pre-Trial Order and have reviewed same with their respective clients.

RITA DOS SANTOS, INDIVIDUALLY AND AS PUTATIVE CLASS REPRESENTATIVE, ET AL.

By their counsel,
BROWN RUDNICK LLP

/s/ William R. Baldiga
William R. Baldiga (BBO #542125)
Jill C. Wexler (BBO #691811)
Brown Rudnick LLP
One Financial Center
Boston, MA 02111
(617) 856-8200
wbaldiga@brownrudnick.com
jwexler@brownrudnick.com

STEPHEN B. DARR AS TRUSTEE OF THE CHAPTER 11 ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. AND TELEXFREE FINANCIAL, INC.

By his counsel,
MURPHY & KING
PROFESSIONAL CORPORATION

/s/ Charles R. Bennett, Jr.
Harold B. Murphy (BBO #326610)
Charles R. Bennett, Jr. (BBO #037380)
Murphy & King Professional Corporation
One Beacon Street
Boston, Massachusetts 02108
(617) 423-0400
HMurphy@murphyking.com
CBennett@murphyking.com

Dated: May 13, 2016
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CERTIFICATE OF SERVICE

I, Charles R. Bennett, Jr., hereby certify that the foregoing *Rule 26(f) Certification and Discovery Plan* filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Charles R. Bennett, Jr.
Charles R. Bennett, Jr.

Dated: May 13, 2016