Docket #0583 Date Filed: 2/28/2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:	Chapter 11 Cases
TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Reorganized Debtors.	14-40987-EDK 14-40988-EDK 14-40989-EDK Substantively Consolidated
STEPHEN B. DARR, TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiff, v. FRANZ BALAN, A REPRESENTATIVE OF A CLASS OF DEFENDANT NET WINNERS, Defendants.	Adversary Proceeding No. 16-4006
STEPHEN B. DARR AS TRUSTEE OF THE ESTATES OF TELEXFREE, LLC, TELEXFREE, INC. and TELEXFREE FINANCIAL, INC., Plaintiff, v. MARCO PUZZARINI AND SANDRO PAULO FREITAS, REPRESENTATIVES OF A CLASS OF DEFENDANT NET WINNERS, Defendants.	Adversary Proceeding No. 16-4007

ORDER REGARDING REMAINING "PHASE I" SCHEDULE

This matter comes before the Court on a Joint Motion to Extend "Phase I" Deadlines to Complete Discovery and Expert Report, which seeks to extend by 45 days

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the deadlines previously set in the Amended Scheduling Order dated March 24, 2022 (ECF No. 425 in Adv. Pro. 16-4006 and ECF No. 575 in Adv. Pro. 16-4007) ("Amended Scheduling Order") with respect to "Phase I" of Adversary Proceedings 16-4006 and 16-4007 (the "Adversary Proceedings"), as defined in the Amended Scheduling Order.

Now, upon joint motion of the parties in these Adversary Proceedings, it is hereby Ordered that the Amended Scheduling Order is amended as follows:

A. With respect to "Phase I" of the Adversary Proceedings:

a. The Parties shall complete all "Phase I" fact discovery by **April 14, 2023**.

b. The Class Representatives shall complete any discovery of Trustee's expert, Borelian, by **April 14, 2023**.

c. The Class Representatives shall provide the Trustee with any rebuttal expert report on or before **April 14, 2023**.

d. The Trustee shall complete any discovery of the Class Representatives' expert, StoneTurn, by **May 22, 2023**.

e. The Trustee shall provide any reply expert report ("Reply Report") to the Class Representatives' Rebuttal Report on or before **May 22, 2023**.

f. Any motions to exclude the supplemental expert report of Borelian ("Daubert Motion"), and any related dispositive motions, shall be filed by **June 22, 2023**.

g. If a *Daubert* Motion or related dispositive motion is filed, the Court will enter a separate scheduling order setting the date for the submission of a pretrial memorandum and establishing a trial date, if applicable.

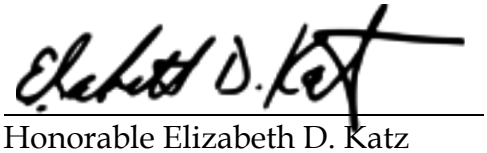
h. After the Court issues its rulings with respect to Phase I, the Court shall determine the necessity of Phase II.

i. If no Daubert Motion or dispositive motions are filed, and if the cases have not otherwise been resolved or disposed of, the Parties will proceed to Phase II.

B. With respect to "Phase II," if required

a. Within twenty-four (24) days of the conclusion of Phase I, the Parties shall submit a joint scheduling order, or competing scheduling orders in the event an order cannot be agreed to, which shall address issues remaining to be litigated, designate additional discovery required, and establish a schedule for the filing of dispositive motions.

Dated: 2/28/2023



Honorable Elizabeth D. Katz
United States Bankruptcy Judge