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3:04-CV-02295 SEC V. EMVEST MORTGAGE FUND

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FILED
OCT 21 2005
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

vs.

EMVEST MORTGAGE FUND, LLC,
EMVEST, INC., and MILON LYLE
BROCK,

Defendants.

CASE NO. 04cv2295 DMS (POR)

**ORDER RE: SPECIAL
BRIEFING SCHEDULE**

On October 4, 2005, this Court issued an Order directing the parties to meet and confer no later than October 14, 2005, to attempt to resolve the issues raised by Defendants in their Reply to Plaintiff's Response to the Third Verified Report of Receiver. On October 18, 2005, Defendants submitted a letter to this Court, which provides an update on the meet and confer process between the parties. The Court deems Defendants' letter sufficient for purposes of raising the issues to be decided by the Court. Accordingly, the Court **HEREBY ORDERS** the following special briefing schedule, to address the issues raised in Defendants' letter:

1. Plaintiff and the Receiver in this matter shall file any Opposition to Defendants' letter no later than **October 31, 2005**.
2. No Reply to the Oppositions will be accepted by the Court.
3. Unless otherwise noticed, the Court deems this matter suitable for submission without oral

1 argument pursuant to Local Civil Rule 7.1(d)(1). Accordingly, no appearances will be required by the
2 parties.

3 **IT IS SO ORDERED.**

4 DATED: 10-20-05



DANA M. SABRAW
United States District Judge

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CC: ALL PARTIES
JUDGE PORTER