

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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MARSHALL FREIDUS and EDWARD P. ZEMPRELLI,  
Individually and on Behalf of All Others Similarly  
Situating,

09 CV 1049 (LAP)

Plaintiffs,

ORDER

v.

ING GROEP, N.V., et al.,

Defendants.

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NELSON CARABALLO, Individually and on Behalf of  
All Others Similarly Situated,

09 CIV 1284 (LAP)

Plaintiff,

v.

ING GROEP N.V., et al.,

Defendants.

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HAROLD H. POWELL TRUST, Individually and on  
Behalf of All Others Similarly Situated,

09 CIV 1410 (LAP)

Plaintiff,

v.

ING GROEP N.V., et al.,

Defendants.  
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JEFFREY HATHORN, Individually and on Behalf of All :  
Others Similarly Situated, :

Plaintiff, :

09 CIV 1820 (LAP)

v. :

ING GROEP N.V., et al., :

Defendants. :

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LORETTA A. PRESKA, United States District Judge:

Counsel in these related cases having conferred and proposed the following schedule, it is hereby SO ORDERED:

1. None of the defendants in the above-captioned actions (“Defendants”) shall be required to respond to any of the currently operative complaints in such actions;

2. Following the entry of an order appointing lead plaintiff and lead counsel pursuant to 15 U.S.C. § 77z-1(a)(3), the lead plaintiff shall have 60 days within which to file and serve a consolidated complaint in connection with the above-captioned actions;

3. From the filing and service pursuant to Paragraph 2 above of such consolidated complaint, Defendants shall have 21 days within which to inform the lead plaintiff by letter of perceived deficiencies in such complaint, as directed in the Court’s Order dated March 6, 2009;

4. From receipt of any deficiency letter as set forth in Paragraph 3 above, the lead plaintiff shall have 21 days within which either to inform the Court that it wishes to stand on the consolidated complaint without further amendment, or to file an amended consolidated complaint with the understanding that no further amendment will be permitted thereafter;

5. From the date of the filing and service of an amended consolidated complaint or notice to the Court as set forth in Paragraph 4 above, the time for Defendants to answer or

otherwise respond to the amended consolidated complaint or original consolidated complaint, as the case may be, shall be 75 days;

6. The lead plaintiff's time to oppose any motion to dismiss filed in accordance with Paragraph 5 above shall be 60 days from the filing of such motion;

7. Defendants' time to reply to any opposition to a motion to dismiss filed in accordance with Paragraph 6 above shall be 30 days from the filing of such opposition.

Dated: March 31, 2009

  
LORETTA A. PRESKA, U.S.D.J.