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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE COMMISSION,

PLAINTIFF,

v.

VESCOR CAPITAL CORP., a Nevada corporation,
VESCOR CAPITAL, INC., a Nevada corporation,
VESCORP CAPITAL, LLC, a Nevada limited liability
company, VESCORP CAPITAL IV-A, LLC, a Nevada
limited liability company, VESCORP CAPITAL IV-M,
LLC, a Nevada limited liability company, a Nevada limited
liability company, and VAL E. SOUTHWICK,

DEFENDANTS.

SCHEDULING ORDER

Civil No. 1:08cv00012

Judge Dee Benson

Pursuant to Fed. R. Civ. P. 16(b), the Judge received the Attorneys' Planning Report filed by counsel (docket #18). The following matters are scheduled. The times and deadlines set forth herein may not be modified without the approval of the Court and on a showing of good cause.

****ALL TIMES 4:30 PM UNLESS INDICATED****

- | 1. | PRELIMINARY MATTERS | DATE |
|-----------|---|-------------|
| | Nature of claims and any affirmative defenses: violations of the Federal Securities laws and unjust enrichment. | |

a.	Was Rule 26(f)(1) Conference held?	02/25/2008
b.	Has Attorney Planning Meeting Form been submitted?	<u>Yes</u>
c.	Was 26(a)(1) initial disclosure completed?	No
2.	DISCOVERY LIMITATIONS	NUMBER
a.	Maximum Number of Depositions by Plaintiff(s)	25
b.	Maximum Number of Depositions by Defendant(s)	25
c.		7
d.	Maximum Number of Hours for Each Deposition (unless extended by agreement of parties)	25
e.	Maximum Interrogatories by any Party to any Party	25
f.	Maximum requests for admissions by any Party to any Party	25
f.	Maximum requests for production by any Party to any Party	25
3.	AMENDMENT OF PLEADINGS/ADDING PARTIESⁱ	DATE
a.	Last Day to File Motion to Amend Pleadings	04/30/2008
b.	Last Day to File Motion to Add Parties	07/31/2008
4.	RULE 26(a)(2) REPORTS FROM EXPERTSⁱⁱ	DATE
a.	Plaintiff	06/01/2009
b.	Defendant	06/30/2009
c.	Counter reports	07/30/2009

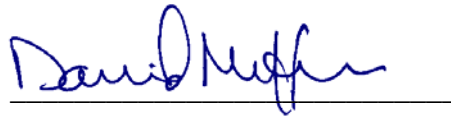
5.	OTHER DEADLINES		DATE
a.	Discovery to be completed by:		
	Fact discovery		05/29/2009
	Expert discovery		07/31/2009
b.	Deadline for filing dispositive or potentially dispositive motions		11/30/2009
6.	SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION		DATE
a.	Referral to Court-Annexed Mediation:	No	
b.	Referral to Court-Annexed Arbitration	No	
c.	Evaluate case for Settlement/ADR on		<u>00/00/00</u>
d.	Settlement probability:	Fair	
7.	TRIAL AND PREPARATION FOR TRIAL	TIME	DATE
a.	Rule 26(a)(3) Pretrial Disclosures ⁱⁱⁱ		
	Plaintiff		<u>03/05/2010</u>
	Defendant		<u>03/19/2010</u>
b.	Objections to Rule 26(a)(3) Disclosures (if different than 14 days provided in Rule)		<u>00/0000/00</u>
c.	Special Attorney Conference ^{iv} on or before		<u>04/02/2010</u>
d.	Settlement Conference ^v on or before		<u>04/02/2010</u>
e.	Final Pretrial Conference	2:30 p.m.	<u>04/20/2010</u>
f.	Trial	<u>Length</u>	
	i. Bench Trial	10	8:30 a.m. <u>05/03/2010</u>
	ii. Jury Trial	<u># days</u>	__:___.m. <u>00/00/00</u>

8. OTHER MATTERS

Counsel should contact chambers staff of the District Judge regarding Daubert and Markman motions to determine the desired process for filing and hearing of such motions. All such motions, including Motions in Limine should be filed well in advance of the Final Pre Trial. Unless otherwise directed by the court, any challenge to the qualifications of an expert or the reliability of expert testimony under Daubert must be raised by written motion before the final pre-trial conference.

Dated this 3rd day of May 2008.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States Magistrate Judge

ⁱ Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

ⁱⁱ A party shall disclose the identity of each testifying expert and the subject of each such expert's testimony at least 60 days before the deadline for expert reports from that party. This disclosure shall be made even if the testifying expert is an employee from whom a report is not required.

ⁱⁱⁱ Any demonstrative exhibits or animations must be disclosed and exchanged with the 26(a)(3) disclosures.

^{iv} The Special Attorneys Conference does not involve the Court. Counsel will agree on voir dire questions, jury instructions, a pre-trial order and discuss the presentation of the case. Witnesses will be scheduled to avoid gaps and disruptions. Exhibits will be marked in a way that does not result in duplication of documents. Any special equipment or courtroom arrangement requirements will be included in the pre-trial order.

^v The Settlement Conference does not involve the Court unless a separate order is entered. Counsel must ensure that a person or representative with full settlement authority or otherwise authorized to make decisions regarding settlement is available in person or by telephone during the Settlement Conference.