


U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
THE DATE OF ENTRY IS
ON THE COURTS DOCKET
TAWANA C. MCKENSHILL, CLERK


D. Michael Lynn
U.S. Bankruptcy Judge

JUN 03 2015

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:	§	Chapter 11
	§	
FIBERTOWER NETWORK SERVICES CORP.,	§	Case No. 12-44027-DML-11
<i>et al.</i> ,	§	
	§	Jointly Administered
Reorganized Debtors.	§	
_____	§	
	§	
FIBERTOWER NETWORK SERVICES CORP.,	§	Adversary No. 12-4104
<i>et al.</i> ,	§	
	§	
Reorganized Debtors.	§	
	§	
v.	§	
	§	
FEDERAL COMMUNICATIONS	§	
COMMISSION,	§	
	§	
Defendant.	§	

AMENDED AGREED SCHEDULING ORDER

Based on the agreement of the parties to the above-referenced adversary proceeding, the Court enters this Amended Agreed Scheduling Order. The new dates governing discovery and trial of this matter are as follows:

1. The deadline for filing a response to the Complaint is June 17, 2016.

2. Disclosures required by Fed. Bankr. R. 7026(a) shall be made by September 30, 2016. Also on September 30, 2016, or such other date set by agreement of the parties, the parties shall confer by telephone according to Fed. Bankr. R. 7026(f).

3. Subject to paragraphs 4 through 6 below, discovery shall be completed by the close of business on March 31, 2017.

4. For every witness whom Plaintiff may use at trial to present evidence under Fed. R. Evid. 702, 703 or 705, Plaintiff's counsel shall deliver to Defendant's counsel a written report satisfying the requirements of Fed. R. Civ. P. 26(a)(2)(B) by April 21, 2017.

5. For every witness whom Defendant may use at trial to present evidence under Fed. R. Evid. 702, 703 or 705, Defendant's counsel shall deliver to Plaintiff's counsel a written report satisfying the requirements of Fed. R. Civ. P. 26(a)(2)(B) by May 12, 2017.

6. All discovery from any witness described in either of the two immediately preceding paragraphs shall be concluded by July 14, 2017.

7. Case dispositive motions shall be filed by August 4, 2017.

8. Counsel for each party shall exchange with counsel for the other party a list of his client's proposed trial exhibits and witnesses on September 29, 2017.

9. On December 15, 2017, each party shall file and serve:

- a. A joint pre-trial order in compliance with Local District Court Rule 16.4;
- b. Trial briefs; and
- c. Any objections to the other party's proposed exhibits or witnesses.

10. Docket Call is rescheduled for the month January 2018.

This Order is without prejudice to the parties' requesting further extensions of time with respect to the matters addressed herein. The dates set forth in paragraphs 2, 3 through 6 and 8 may be

extended by agreement of the parties without the need for a motion or Court order. Any other extensions of time shall require a further Order of the Court.

###END OF ORDER

Prepared by:

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Attorneys for the United States of America

United States Bankruptcy Court
Northern District of Texas

FiberTower Network Services Corp., et al,
Plaintiff

Adv. Proc. No. 12-04104-dml

Federal Communications Commission,
Defendant

CERTIFICATE OF NOTICE

District/off: 0539-4

User: dhuffman
Form ID: pdf012

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 03, 2015

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 05, 2015.

aty +Paul Silverstein, Andrews and Kurth LLP, 450 Lexington Avenue, New York, NY 10017-3939

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

aty* +Paul Silverstein, Andrews and Kurth LLP, 450 Lexington Avenue, New York, NY 10017-3939
TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 05, 2015

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 3, 2015 at the address(es) listed below:

Emily S. Chou on behalf of Creditor Committee The Official Committee of Unsecured Creditors
echou@coleschotz.com
Jason S. Brookner on behalf of Plaintiff FiberTower Network Services Corp., et al
jbrookner@grayreed.com, dtrent@grayreed.com;lwebb@grayreed.com
Lloyd H. Randolph on behalf of Defendant Federal Communications Commission
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Lloyd H. Randolph on behalf of Plaintiff FiberTower Network Services Corp., et al
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Margaret M. Newell on behalf of Defendant Federal Communications Commission
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TOTAL: 5