

ORDER GRANTING LEAVE TO PARTIES TO FILE POST-PROCEEDING BRIEFS AND MODIFYING ORAL ORDER AS STATED AT THE CONFERENCE AND ARGUMENT OF MAY 19, 2026. The Court has reconsidered the sequencing set out in its oral order at the conference and argument held May 19, 2026, and to more accurately consider Circuit law regarding amendment of pleadings in the context of a motion to dismiss, enters the following Order. As discussed at the video conference on May 19, 2026, the Court hereby grants leave to the Parties to file a post-proceeding memorandum/brief of no more than five (5) pages including cover sheet, table of contents, etc. on the matters discussed at the conference of May 19, 2026, namely Defendants pending Motion for Reconsideration, Motion for Leave to Appeal (ECF 105). The Parties are directed to file such a memorandum/brief within ten (10) days of this Order, or in the alternative, file a notice informing the Court that they do not intend to file such a memorandum/brief. Further, as a modification to the Courts oral orders at the conference concerning amending the Complaint, the Court will address the question of amendment of the Complaint via further Order and/or in consultation with counsel once the Court has considered the filings authorized by this Order and those already of record. Signed by Judge Mark R. Hornak on 5/20/26. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bdb) (Entered: 05/20/2026)