

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL PART 43

Justice Robert R. Reed

Index No(s): 656717/2019

DEUTSCHE OEL & GAS S.A.
Plaintiff(s)/Petitioner(s)

Track: Complex

-against-

ENERGY CAPITAL PARTNERS MEZZANINE OPPORTUNITIES FUND A, LP, et al.

Defendant(s)/Respondent(s).

**PRELIMINARY
CONFERENCE ORDER**

Appearances:

Counsel for Plaintiff(s)/Petitioner(s):

Counsel for Defendant(s)/Respondent(s)

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It is ORDERED that disclosure shall proceed, pursuant to the Rules of the Commercial Division (CD) and the Rules of Commercial Division Part 43 (Part Rules), as follows:

(1) BILL OF PARTICULARS (see CPLR 3130 [1]):

- (a) Demand for a bill of particulars _____ on or before _____.
- (b) A bill of particulars shall be served by _____ on or before _____.

(2) INTERROGATORIES (see CD Rule 11-a):

- (a) Interrogatories shall be served by email _____ on or before April 10, 2026.
- (b) Answers to interrogatories shall be served by email _____ on or before May 11, 2026.

DOCUMENT PRODUCTION (See CD Rule 11 et seq.):

- (a) Demand for discovery and inspection shall be served by email _____ on or before April 10, 2026.
- (b) Responses to demands shall be served by email _____ on or before May 22, 2026.

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(3) EXCHANGE OF ELECTRONICALLY-STORED INFORMATION (ESI):

The parties will execute a stipulation reflecting their agreement on the exchange of ESI by April 17, 2026. Counsel may execute the CD Standard Form Confidentiality Order, if such an Order is needed. If any proposed changes to the Standard Form Confidentiality Order are requested, counsel shall indicate the proposed changes in a red-lined version. If counsel are unable to agree on ESI or Confidentiality issues, a conference may be requested pursuant to the Part Rules.

(4) DEPOSITION ON ORAL QUESTIONS:

- (a) All party depositions noticed or agreed to by stipulation shall be completed by July 10, 2026.
- (b) Plaintiff(s)/Petitioner(s) deposition(s) shall be completed by August 8, 2026.
- (c) Defendant(s)/Respondent(s) deposition(s) shall be completed by September 11, 2026.
- (d) (d) Non-Party Depositions, if any, and all fact depositions shall be completed by October 2, 2026.

(5) OTHER DISCLOSURE AND/OR EXPERT DISCOVERY:

To be completed no later than end date for all disclosure.

(6) DISCOVERY DISPUTES: If any dispute over discovery arises, the parties shall immediately consult with one another and comply with the Part Rules.

(7) IMPLADER: Shall be completed on or before: July 8, 2026.

(8) END DATE FOR ALL DISCLOSURE: October 16, 2026.

(9) MOTIONS: Any dispositive motion(s) shall be made by Notice of Motion returnable in the Submissions Part within 60 days of the filing of the Note of Issue or as otherwise directed by this court.

(10) NOTE OF ISSUE: Plaintiff shall file a note of issue/certificate of readiness by October 23, 2026. A copy of this order, an affirmation stating that the terms of the order have been complied with, and an affidavit of service of the affirmation and note of issue shall be served and filed with the note of issue on or before said date.

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(11) COMPLIANCE CONFERENCE: shall be held on July 14, 2026 at 10:00am. At least seven days prior to the compliance conference, counsel shall submit a joint letter not exceeding three single-spaced pages setting forth the status of discovery, describing any significant disputes to be addressed at the conference, and whether there are any outstanding motions and/or appeals.

FAILURE TO COMPLY WITH ANY OF THESE DIRECTIVES MAY RESULT IN THE IMPOSITION OF COSTS OR SANCTIONS OR OTHER ACTION AUTHORIZED BY LAW. DATES SET FORTH HEREIN MAY NOT BE ADJOURNED ABSENT PRIOR APPROVAL OF THE COURT.

ADDITIONAL DIRECTIVES

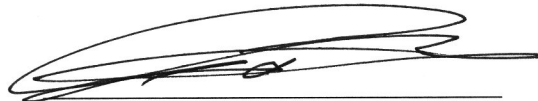
In addition to the directives set forth above, it is further ORDERED as follows:

~~_____

_____~~

SO ORDERED:

DATE: 2/19/26



Hon. Robert R. Reed, J.S.C.