

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

DEAN CAMPBELL and  
DC COMPASS DUNDEE, L.L.C.,

Plaintiffs,

vs.

Case NO. 04-4108-JWL

BANK OF AMERICA, N.A., PRIVATE  
BANK, REAL ESTATE ADVISORY  
SERVICES and BANK OF AMERICA  
CORPORATION,

Defendants.

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BANK OF AMERICA, N.A.,

Third Party Plaintiff,

vs.

JOHN TERZAKIS, RUDY MULDER,  
ROXANNE GARDNER, URBAN  
INVESTMENT TRUST, INC., DUNDEE  
53, LLC, MASTER DUNDEE 53, LLC,  
MANAGER DUNDEE 53, INC.,  
CENTERPOINT PROPERTIES TRUST,  
THOMAS P. LOWERY & ASSOCIATES,  
LTD., DUNDEE, INC., DUNDEE 53, INC.,  
and TAX DEFERRED SERVICES, LLC,

Third Party Defendants.

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**ORDER SETTING HEARING**

This matter comes before the court upon Defendant Bank of America, N.A.'s Motion to Stay Third Party Proceedings and for Entry of New Scheduling Order (Doc. 79). Upon review of the record, the court hereby sets this matter for hearing on **November 7, 2005, at 3:00 p.m.** before U.S. Magistrate Judge K. Gary Sebelius at Topeka, Kansas. The hearing shall be conducted **by telephone**, and the court shall initiate the conference call.

No later than **November 2, 2005**, the parties shall submit to the court via e-mail the party and/or party's counsel's name and the telephone number at which such person may be reached for purposes of this hearing.

**IT IS SO ORDERED.**

Dated this 19th day of October, 2005, at Topeka, Kansas.

s/ K. Gary Sebelius  
K. Gary Sebelius  
U.S. Magistrate Judge