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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Tamara Sue DeBinder, et al.

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No. CV 06-1804-PCT-PGR

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Plaintiffs,

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vs.

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ORDER

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Albertson's, Inc.,dba Sav-On
Drugs, et al.

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Defendants.

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Currently before the Court is Defendants Don Wagner, D.O., P.C. and Sandra Lubinski's Motion for a R. 16 Pretrial Conference. (Doc.119.) The Defendants seek to set the pending matter for trial, schedule a final pretrial conference, and/or facilitate a settlement at this conference. Given that the dispositive motions are no longer pending, the Court will hold a final pretrial conference in lieu of the requested R. 16 conference. Accordingly,

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IT IS HEREBY ORDERED **DENYING** Defendants Don Wagner, D.O., P.C. and Sandra Lubinski's Motion for a R. 16 Pretrial Conference. (Doc.119.)

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IT IS FURTHER ORDERED that the parties shall file their Joint Pretrial Statement and any motions in limine no later than **Monday, March 16, 2009**.¹

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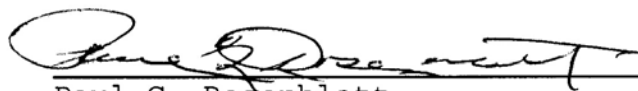
¹ The parties are directed to review paragraphs 5 and 6 of the Scheduling Order (Doc. 29).

1 IT IS FURTHER ORDERED that the Final Pretrial Conference shall be held on
2 **Monday, April 27, 2009, at 11:00 a.m.**, in Courtroom 601 of the Sandra Day O'Connor
3 United States Courthouse in Phoenix, AZ. ²

4 IT IS FURTHER ORDERED that the parties' trial briefs, proposed jury instructions
5 and proposed voir dire questions shall be filed no later than **Monday, May 11, 2009**, at
6 **2:00 p.m.**³

7 IT IS FURTHER ORDERED that the trial of this action shall commence on **Tuesday**,
8 **May 19, 2009, at 9:00 a.m.**, in Courtroom 601 of the Sandra Day O'Connor United States
9 Courthouse, 401 W. Washington Street, Phoenix, Arizona.

10 DATED this 7th day of January, 2009.

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14 Paul G. Rosenblatt
15 United States District Judge
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24 _____
25 ² The parties are directed to review paragraph 7 of the Scheduling Order. (Doc. 29).

26 ³ The trial brief shall raise all significant disputed issues of law and fact, including
27 foreseeable procedural and evidentiary issues, and shall set forth the parties' positions
28 thereon with supporting arguments and authorities.