

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

RUBY HISER

PLAINTIFF

v.

No. 4:11CV00517 KGB

XTO ENERGY INC.

DEFENDANT

ORDER

In its April 23, 2013 Order, the Court indicated that it would examine whether the jury may have been exposed to extraneous prejudicial information by inquiring of certain jurors who submitted affidavits. The Court will examine juror Norvella Watson on August 5, 2013, beginning at 10:00 a.m. The Court will examine juror Carrie Trantum on August 7, 2013, beginning at 9:30 a.m. The Court will issue a separate order scheduling the examination of juror Michael Horn. The examinations will take place in Courtroom 4C of the Richard Sheppard Arnold United States Courthouse. The parties are directed to refrain from contacting these jurors.

The Court will conduct the examinations. Counsel may submit proposed questions by July 31, 2013. The Court will inquire whether extraneous information was brought to the jury's attention. Fed. R. Evid. 606(b)(2). The Court cannot question a juror concerning the effect that this extraneous information might have had on the juror's thought process. Fed. R. Evid. 606(b)(1). The Court will preview all questions with counsel on the record prior to conducting the examinations. At the conclusion of each examination, the Court will conduct a bench conference with counsel to determine whether additional questions should be asked.

SO ORDERED this 26th day of July, 2013.



Kristine G. Baker
United States District Judge