March 5, 2012 at 9 a.m.

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Jury trial:

Doc. 643

Having discussed the matter with counsel, and good cause appearing, the court will treat defendant's separate status report (ECF 639) as defendant's opening brief seeking leave to file a dispositive motion in limine. The court confirms the following schedule to resolve this threshold motion:

Five (5) page opposition due: November 9, 2011

Five (5) page reply, if any, due: November 16, 2011

If, based on the parties' arguments and representations in these briefs, the court grants defendant's request and holds a hearing on the merits of the proposed dispositive motion in limine, such hearing will take place on December 14, 2011 at 10 a.m.; the court will issue a briefing schedule in accordance with this hearing date, if the hearing is confirmed.

The court also will refer this case to settlement. The parties are to submit a stipulation with seven (7) days of the issuance of this order indicating their availability for settlement conference. Upon receipt of the stipulation, the court will issue an order of referral.

IT IS SO ORDERED.

DATED: November 2, 2011.

UNITED STATES DISTRICT JUDGE