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7 Attorneys for Plaintiff and Counter-Defendant  
 8 TYCO THERMAL CONTROLS, LLC

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

11 TYCO THERMAL CONTROLS, LLC,

12 Plaintiff,

13 v.

14 REDWOOD INDUSTRIALS, et al.

15 Defendants.

17 ROWE INDUSTRIES, INC.,

18 Counter-Claimant,

19 v.

20 TYCO THERMAL CONTROLS, LLC,

21 Counter-Defendant.

22 TYCO THERMAL CONTROLS LLC,

23 Plaintiff,

24 v.

26 ROWE INDUSTRIES, INC.,

27 Defendant.

CASE NO. 4:06-cv-07164-NC

**JOINT PROPOSED ORDER RE TRIAL  
 STIPULATIONS**

Trial Date: January 22, 2013  
 Time: 9:00 a.m.  
 Courtroom: 1, 4<sup>th</sup> Floor  
 Judge: Hon. Nathanael Cousins

Complaint Filed: November 17, 2006  
 Trial Date: January 22, 2013

Related Action:  
 Case No. CV-10-01606-NC

1 It is hereby stipulated by the parties that the following shall apply in the trial of this  
2 matter:

3 1. The parties shall advise the other side via electronic mail of their intent to call a  
4 trial witness at least forty-eight (48) hours in advance of calling the witness. This rule applies to  
5 both expert and fact witnesses.

6 2. The parties shall provide copies of any demonstrative evidence they intend to use  
7 at trial at least twenty-four (24) hours in advance of attempting to use said demonstratives in  
8 Court.

9 3. Any party may use the Consumer Price Index (CPI) inflation calculator of the  
10 Bureau of Labor Statistics as evidence of present day value for U.S. currency paid in the past  
11 which is determined to be relevant to this matter by the Court. The CPI calculator may be found  
12 at the following website: [http://www.bls.gov/data/inflation\\_calculator.htm](http://www.bls.gov/data/inflation_calculator.htm).

13 4. At a party's option, any deposition testimony admitted by the Court, may be 1)  
14 read into the record (which will count against the proffering party's trial time); or 2) admitted  
15 with an offer of proof (and permitting the other party to respond to the offer) for the Court to  
16 read at a later time (which will not count against the proffering party's trial time.)

17 5. The videotape deposition of Orin Potter will be played in its entirety in Tyco's  
18 case-in-chief but the time of the deposition will be allotted evenly between the parties.

19  
20 Dated: January 15, 2013

GORDON & REES LLP

21  
22 By:  /S/ Mordecai Boone

Mordecai Boone  
Christopher D. Strunk  
Bethany A. Stahley  
Attorneys for Defendant and Cross-  
Complainant  
ROWE INDUSTRIES, INC.

1 Dated: January 15, 2013

DONGELL LAWRENCE FINNEY LLP

2  
3 By: /S/ Joshua N. Levine

4 Joshua N. Levine  
5 Attorneys for Plaintiff and Counter-  
6 Defendant  
7 TYCO THERMAL CONTROLS, LLC

8 IT IS SO ORDERED.

9 Dated: January 16, 2013

10 Nathanael M. Cousins, Judge



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