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28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES,

No. CR 07-00732 SI

Plaintiff,

SCHEDULING ORDER

v.

BARRY LAMAR BONDS,

Defendant.

On January 5, 2009, the Court heard argument on defendant's motions *in limine*. The Court will defer ruling on defendant's motions until the parties have briefed the government's new hearsay exception theory. The government will file its supplemental opposition by **February 9**. Defendant will file a reply by **February 13**. The parties' briefs may be no longer than five pages.

The government will file an opposition to the *Daubert* issues raised in defendant's reply brief by **February 13**. Defendant will file a reply by **February 18**. The parties' briefs may be no longer than ten pages.

The parties will jointly file a proposed jury questionnaire by **February 13**. If they cannot reach agreement, they will advise the Court of their points of disagreement by letter brief.

The government will provide to defendant no later than close of business on **February 6** copies of the *ex parte* motion the government filed in this case on November 10, 2008, the report that was the subject of that motion, and the summary of the report that was filed in conjunction with the government's motion.

The parties will meet and confer over the unsealing of other documents related to the BALCO investigation and will inform the Court by letter brief if they cannot resolve this matter.

1 Finally, the Court invites the parties to file letter briefs by **February 11** advising the Court of
2 their positions on two issues related to media access to this trial. First, the Court plans to allow a
3 stationary camera to provide live video feed of the proceedings to an overflow courtroom. The Court
4 is also considering the possibility of providing the media room (on the first floor of the courthouse) with
5 a live audio feed of the proceedings as well as an “evidence feed” that would display evidence as it
6 appears on jurors’ monitors. The Court could also permit live video to be streamed into the media room.
7 Second, press representatives have requested immediate access to exhibits after they are entered into
8 evidence. The exhibits would be made available to the media through the Court, either by electronic
9 filing or in hard copy.

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11 **IT IS SO ORDERED.**

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13 Dated: February 6, 2009



SUSAN ILLSTON
United States District Judge