

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE

Civil Case No. 04-cv-01961-LTB-CBS

SANFORD LEE HERTZ,

Plaintiff and Counterclaim Defendant,

v.

LUZENAC AMERICA, INC., a Delaware Corporation,

Defendant and Counterclaim Plaintiff.

ORDER

As set forth on the record during the February 23, 2011 status/scheduling hearing, it is
HEREBY ORDERED THAT:

1. A First Trial Preparation Conference is set for **Friday, September 16, 2011 at 9:00 a.m.** in Courtroom C401, Bryon G. Rogers United States Courthouse, 1929 Stout Street, Denver Colorado. **On or before September 14, 2011**, the parties shall file the following:

A. One combined set of proposed substantive jury instructions (including definitions, statement of the case, damage and verdict forms) with Plaintiff's disputed language designated in all capital letters, and Defendant's disputed language in brackets. These proposed jury instructions, with their supporting authority citations, will be submitted in hard copy form and provided to chambers in WordPerfect 13 format; and

B. Updated exhibit lists, following an exhibit conference by counsel, indicating all stipulations as to admissibility and authenticity, as well as citation to the applicable rule of exclusion for disputed exhibits;

2. A Second Trial Preparation Conference is set for **Friday, October 14, 2011 at 10:00 a.m.**; and

3. A two-week jury trial is scheduled to commence on **Monday, October 31, 2011 at 9:00 a.m.**

Dated: February 24, 2011 in Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE