

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 06-cv-01958-WYD-MJW

JOEL LEDBETTER;
HEATH POWELL; and
DISA POWELL, as spouse to Heath Powell,

Plaintiffs,

v.

WAL-MART STORES, INC..
GENERAL ELECTRIC COMPANY,
EATON CORPORATION, d/b/a Cutler-Hammer,
EATON CORPORATION, d/b/a Eaton Electrical Services & Systems,
EATON CORPORATION, d/b/a Eaton Electrical Inc.,
EATON ELECTRICAL, INC., and
JOHN DOES 3-5 and 18-15, whose true names are unknown,

Defendants.

ORDER

THIS MATTER comes before the Court upon review of the file. The proposed jury instructions, proposed verdict forms and related objections submitted by the parties are hereby **STRICKEN**. Of the submitted proposed jury instructions, only seven were agreed upon, and those seven were general and nonsubstantive in nature. Further, the parties collectively submitted over one hundred disputed instructions and numerous disputed verdict forms. This is unacceptable. Accordingly, the Court orders further support and assistance from the parties with respect to drafting both jury instructions and a simplified verdict form.

The parties are ordered to meet and confer and reach maximum agreement regarding the general instructions, the substantive instructions, and the verdict form. In general, the Court does not look favorably when the pattern jury instructions are modified by case law unless there is some compelling reason. The Court anticipates that the vast majority of general, non-elemental pattern instructions should be stipulated to. Additionally, the Court prefers to give the jury a simplified verdict form. To ensure the parties have sufficient time to meet, confer and reach maximum agreement, the proposed jury instructions, proposed verdict form and related submissions shall be filed not later than **Wednesday, December 9, 2009**. Failure of any party to comply with this Order will result in the imposition of appropriate sanctions.

Dated: November 30, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge