

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

Civil Action No. 08-cv-00091-WYD-CBS

WAYNE WATSON and
MARY WATSON,

Plaintiffs,

v.

DILLON COMPANIES, INC., d/b/a/
KING SOOPERS, also d/b/a
INTER-AMERICAN PRODUCTS, INC., et al.,

Defendants.

ORDER

THIS MATTER comes before the Court upon a review of both Plaintiffs' Amended Exhibit List (ECF No. 765), filed August 27, 2012 and Defendant's Objection to Plaintiffs' Non-Compliant Exhibit List and Motion to Strike Plaintiffs' Exhibits (ECF No. 770, filed August 29, 2012). After carefully reviewing these filings, I find probable merit to Defendants' objection and request for relief.

At the July 27, 2012 Final Trial Preparation Conference, I ordered Plaintiffs to substantially "cut down" their initial exhibit list finding it unreasonably voluminous in light of the anticipated length of this trial, the issues in this case, and because it failed to comply with the specific requirements set forth in my Practice Standards. I directed Plaintiffs to "cut [the exhibit list] down . . . into a more manageable list." (Unofficial Hr'g Tr. 16:36-16:42, July 27, 2012).

Apparently, Plaintiffs have ignored my oral order along with the written directives

set forth in my Practice Standards. Plaintiffs' newly filed Amended Exhibit List is 173 pages in length and lists 1463 separate exhibits. Upon closer inspection, it appears that many of the individually numbered exhibits are more than 100 pages long. I find that this Amended Exhibit List is outrageous and will not be used at trial in its current form.

Accordingly, it is

ORDERED that in order to avoid having their entire Amended Exhibit List stricken, Plaintiffs shall file a substantially reduced list that complies with my prior orders not later than Tuesday, September 4, 2012 at 8:00 a.m. Unless a compliant exhibit list is filed, Plaintiffs' Amended Exhibit List (ECF No. 765) will be stricken from the record.

Dated: August 30, 2012

BY THE COURT:

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