

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 10-cv-00644-PAB-MJW

SHANNON FREEMAN, Personal Representative of B.H., a child, and
STEPHANIE HANNA, as representative of the Estate of Robert Hanna, deceased,

Plaintiffs,

v.

GREGORY COSTA, PA-C,

Defendant.

ORDER SETTING CASE FOR TRIAL

This matter has been scheduled for an eight-day jury trial on the docket of Judge Philip A. Brimmer in the U.S. District Courthouse, Courtroom A701, 7th Floor, 901 19th Street, Denver, Colorado, to commence on **July 8, 2013 at 8:00 a.m.**

A Trial Preparation Conference is set for **June 14, 2013 at 1:30 p.m.** Counsel who will try the case shall attend in person.

In the absence of a previously-imposed deadline, all motions to exclude expert testimony must be filed **sixty days** before the trial preparation conference.

Fourteen days before the trial preparation conference, counsel and any pro se party shall submit any additional proposed jury instructions and verdict forms. The jury instructions shall identify the source of the instruction and supporting authority, e.g. § 103, Fed. Jury Practice, O'Malley, Grenig, and Lee (5th ed.). The parties shall submit their instructions and verdict forms both via CM/ECF and by electronic mail to brimmer_chambers@cod.uscourts.gov in Word Perfect format (Word Perfect 12 or a

later version) or Word format. Any revised verdict forms shall be submitted in a separate file from jury instructions. Within the jury instruction file, each jury instruction shall begin on a new page.

In diversity cases where Colorado law applies, please submit instructions and verdict forms that conform to CJI-Civ 4th.

Seven days before the trial preparation conference, the parties shall file via CM/ECF (1) any additional proposed *voir dire* questions; (2) their witness lists; and (3) any modification to the unitary exhibit list. The form of the witness list is found at <http://www.cod.uscourts.gov/Judges/Judges.aspx>. Please add at least ten additional blank rows at the end of the exhibit list to accommodate any additional exhibits that may be introduced at trial.

To the extent the deadlines and other provisions of this order conflict with this Court's Practice Standards, this order shall control.

The parties shall be prepared to address the following issues at the Trial Preparation Conference:

- 1) jury selection;
- 2) sequestration of witnesses;
- 3) timing of presentation of witnesses and evidence;
- 4) anticipated evidentiary issues;
- 5) any stipulations as to fact; and
- 6) any other issue affecting the duration or course of the trial.

DATED November 27, 2012.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge