

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 10-cv-00734-BNB-KLM

GARY D. PACHECO, and
BERNARD G. PACHECO,

Plaintiffs,

v.

LTD FINANCIAL SERVICES, L.P.,

Defendant.

ORDER SETTING TRIAL AND RELATED DEADLINES

This matter is pending before me pursuant to the Order of Reference Pursuant to 28 U.S.C. §636(c) [Doc. # 19, filed 6/30/2010].

IT IS ORDERED that the final pretrial conference set before Magistrate Judge Kristin L. Mix on March 3, 2011, at 10:30 a.m., is VACATED and RESET to **March 3, 2011, at 8:30 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. The proposed final pretrial order shall be prepared by the parties and submitted to the court no later than **February 24, 2011**.

IT IS FURTHER ORDERED that the case is set for a two day trial to a jury on **March 21-22, 2011**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado. Trial days run from 8:30 a.m. to 5:00 p.m.

IT IS FURTHER ORDERED that the following procedures shall supplement the Federal Rules of Civil Procedure and the local rules of this court:

1. **EXHIBITS:** The parties shall exchange exhibits on or before **February 17,**

2011. Each page of each exhibit must be marked with a Bates number, and the beginning and ending Bates numbers of each exhibit shall be reported on the exhibit list. Prior to the exchange of exhibits, the parties must confer in an attempt to agree on joint exhibits. The use of joint exhibits avoids duplication and confusion. The parties shall submit a final exhibit list on or before **February 24, 2011.** The final exhibit list shall be a single, joint list of exhibits, and all exhibits shall be designated numerically. Do not mark any exhibit with reference to the party offering it. The case number must appear on each exhibit sticker or label. On or before **March 14, 2011,** the parties shall submit to the court the original and two copies of the exhibits, with each set of exhibits bound in three ring notebooks, and with tabbed numerical dividers between each exhibit. The objections contemplated by Fed. R. Civ. P. 26(a)(3) shall be filed with the clerk of the court and served by hand delivery or facsimile no later than **March 14, 2011.** The objections shall state concisely the evidentiary grounds for the objection and the legal authority supporting the objection. If the authority is a Federal Rule of Evidence, the Rule shall be cited; if the authority is case law, a copy of the case shall be provided to the court.

2. **WITNESS LISTS:** On or before **February 24, 2011,** the parties shall submit an original and two copies of their final witness lists, listing the witnesses in the order they will be called at trial and with an estimate of the length of the direct examination of each witness. Designation as a “will call” witness shall be that party’s representation, upon which the opposing party may rely, that the witness will be present and available for testimony at trial.

3. **JURY INSTRUCTIONS, VERDICT FORMS, AND PROPOSED VOIR DIRE:** On or before **February 24, 2011,** the parties shall submit to my chambers proposed jury instructions, verdict forms, and voir dire questions. Prior to that date, the parties shall confer in

an attempt to reach agreement on stipulated jury instructions and verdict forms. Stipulated jury instructions and verdict forms shall be so designated. Any jury instructions or verdict forms about which the parties cannot agree shall be submitted as disputed. Objections to any disputed jury instructions and verdict forms shall be submitted on or before **March 2, 2011**. On or before **February 24, 2011**, the parties shall submit a statement of the case, including a statement of the claims and defenses, that the parties stipulate may be read to the jury at the beginning of the trial. Proposed jury instructions, verdict forms, and voir dire questions shall be submitted by electronic mail to boland_chambers@cod.uscourts.gov. Instructions must be submitted to chambers in Word Perfect 12 (or a later version), although they may in the alternative be submitted in Word. A citation of authority in support of each proposed jury instruction must be contained at the bottom of each instruction submitted.

4. **STIPULATIONS:** On or before **February 24, 2011**, the parties shall file any stipulations which may be read to the jury at the beginning of the trial.

5. **SPECIAL ACCOMMODATIONS:** On or before **March 14, 2011**, the parties shall notify my courtroom deputy of the need for any special accommodations required by an attorney, party, or witness; and of the need for technological equipment, including videoconferencing, equipment required for the presentation of evidence using CDROM, and any equipment required for other electronic presentation of evidence.

6. **GENERAL INFORMATION:** My courtroom deputy is Geneva Mattei. She can be reached at 303-335-2061. Any questions concerning exhibits or courtroom equipment should be directed to her. The proceedings will be tape recorded. Any request for transcripts should be directed to the courtroom deputy. Extraordinary requests, such as for daily copy,

should be made at least 30 days in advance of the trial date.

My secretary is Estee Fraitag. She can be reached at 303-844-6408.

My staff attorney is Renee Christian. She can be reached at 303-844-6408.

At trial, all parties and witnesses shall be addressed as “Mr.,” “Mrs.,” “Ms.,” “Dr.,” etc.

Informal references are not authorized except with my express permission.

DATED July 13, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge