

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

Civil Case No. 10-cv-01482-LTB-KLM (Consolidated w/11-cv-02321-RPM-MJW)

ONYX PROPERTIES LLC, a Colorado Limited Liability Company;
EMERALD PROPERTIES, LLC, a Colorado Limited Liability Company;
VALLEY BANK AND TRUST, a Colorado State Bank;
PAUL NAFTEL, an individual;
SHAUNA NAFTEL, an individual; and
The Estate of LOCAL SERVICE CORPORATION by and through its
Chapter 11 Bankruptcy Trustee, SIMON E. RODRIGUEZ,

Plaintiffs,

vs.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY,

Defendant

KENNETH G. ROHRBACH,
KAREN L. ROHRBACH,
PAUL K. ROHRBACH, and
COMPOST EXPRESS, INC., a Colorado corporation,

Plaintiffs,

vs.

BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, in its official capacity,

Defendant.

ORDER

As set forth on the record in open court during the status/scheduling conference on December 3, 2013, it is HEREBY ORDERED THAT:

1. A Fed. R. Civ. P. Rule 16 Pretrial Conference is set for **Friday, December 19, 2014 at 9:00 am.**

2. A Final Trial Preparation Conference is set for **Friday, January 30, 2015 at 9:00 am.**

In anticipation of this conference, the parties shall file with the court, **on or before January 23, 2015**, the following:

A. One combined set of proposed substantive jury instructions (including a statement of the case instruction, any special definitions, damage instructions and verdict forms) with Plaintiffs' 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 or Word format;

B. One combined exhibit list, following an exhibit conference by the parties, indicating stipulations as to admissibility and authenticity, as well as citation to the applicable rule of exclusion for disputed exhibits. In addition, rather than filing motions *in limine*, I invite the parties to file concise trial briefs highlighting any specific objections to the exhibits;

C. Individual witness lists;

D. Individual proposed *voir dire* questions; and

E. A single hard copy of any deposition transcripts to be used in lieu of live witness testimony with the testimony sought to be introduced by Plaintiffs highlighted in yellow; the testimony sought to be introduced by Defendant highlighted in blue; and any objections underlined in red.

3. A two-week jury trial is scheduled to commence on **March 16, 2015 at 9:00 am.**

Dated: December 3 , 2013 in Denver, Colorado.

BY THE COURT:

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