

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-01756-DME-MJW

MARCUS LELAND FREEMAN,

Plaintiff,

v.

WOOLSTON, Vocational Instructor,
LIKENS, Educational Department,

Defendants.

ORDER SETTING TRIAL DATES AND DEADLINES

This matter is before the Court upon a review of the file. To ensure that all pre-trial phases of the case are complete before the commencement of the bench trial,

IT IS HEREBY ORDERED:

This Order may not be modified by agreement of the parties. Upon timely application, however, either or both parties may seek modification as may be necessary to meet a *bona fide* emergency, to avoid irreparable injury or harm, or as may otherwise be necessary to do substantial justice.

A. TRIAL AND TRIAL PREPARATION SETTINGS

This matter has been scheduled for a **4-day bench trial** on the docket of Judge David M. Ebel, to occur in the Byron G. Rogers U.S. District Courthouse, Courtroom C202, 2d Floor, 1929 Stout Street, Denver, Colorado, to commence on **October 7, 2013, at 8:30 a.m.** At the time of the Final Pretrial Conference held on May 8, 2013, the Final Trial Preparation Conference was set for October 2, 2013. That hearing has been

rescheduled and will also serve as a Status Conference. The Final Trial Preparation Conference/Status Conference is rescheduled to occur on August 20, 2013, at 10:00 a.m. If there is a conflict for that particular date, a motion to reset may be filed. Lead counsel who will try the case shall attend.

B. MOTIONS DEADLINES

The motions deadlines have passed.

C. TRIAL PREPARATION REQUIREMENTS

Because Plaintiff may be appearing via video for trial, the deadlines to submit the following documents will be set at the time of the Final Trial Preparation Conference/Status Conference scheduled on August 20, 2013:

- (1) a witness list, containing names, addresses, and estimated length of time for testimony;
- (2) an exhibit list, with stipulations for authenticity except on those exhibits noted; and
- (3) a certification that the parties have met in an effort to settle the litigation.

1. Conflicts in Scheduling. Continuances of the trial will be granted only in truly exceptional circumstances.

2. Video and Special Equipment. If you intend to use electronic equipment, advise the courtroom deputy clerk **no later than two weeks** before trial.

3. Trial Briefs. Please advise the Court at the Final Trial Preparation Conference/Status Conference if you wish to file trial briefs, which may not be filed unless authorized by the Court. Briefs requested shall be filed on a date set by the Court. Unless otherwise specified, trial briefs shall be limited to 10 pages.

4. Issues to be addressed at the Final Trial Preparation Conference/Status Conference. The parties shall be prepared to address the following issues:

- 1) submission deadlines for the above-referenced documents referenced in Paragraph C;
- 2) sequestration of witnesses;
- 3) presentation of exhibits;
- 4) timing of presentation of witnesses and evidence;
- 5) any stipulations as to fact or law; and
- 8) any other issue affecting the duration or course of the trial.

DATED: May 21st, 2013.

BY THE COURT:

s/ David M. Ebel

David M. Ebel
United States Circuit Judge