

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable R. Brooke Jackson

Civil Action No. 11-CV-02051-RBJ-MEH

FIRST DESCENTS, Inc.
a Colorado non-profit corporation

Plaintiff,

v.

EDDIE BAUER LICENSING SERVICES LLC
a Delaware limited liability company and
EDDIE BAUER LLC
a Delaware limited liability company

Defendants.

ORDER SETTING TRIAL AND TRIAL PREPARATION CONFERENCE

This matter has been scheduled for a **five-day jury trial** on the docket of Judge R. Brooke Jackson in the U.S. District Courthouse, Courtroom A702, 7th Floor, 901 19th Street, Denver, Colorado, to commence on **August 27, 2012 at 9:00 a.m.**

A Trial Preparation Conference is set for **August 10, 2012 at 1:30 p.m.** Counsel who will try the case shall attend in person.

Fourteen days before the trial preparation conference, counsel and any pro se party shall submit 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 jackson_chambers@cod.uscourts.gov in Word format.

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.

Each instruction should be numbered (e.g., “Plaintiff’s Instruction No. 1”) for purposes of making a record at the jury instruction conference. The parties shall attempt to stipulate to the jury instructions, particularly “stock” instructions and verdict forms.

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) their witness lists; and (2) their exhibit lists. Forms of the witness and exhibit lists are 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 this 24th day of October , 2011.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. Brooke Jackson". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

R. Brooke Jackson
United States District Judge