

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe

Civil Action No. 11-cv-02890-CMA-MJW

PATRICK E. McCONNELL, an individual,

Plaintiff,

v.

MICROSOFT CORPORATION, a Colorado corporation,

Defendants.

PRELIMINARY INJUNCTION HEARING ORDER

The following procedures and Order supplement the Federal Rules of Civil Procedure and the local rules of this court. In order to fairly and efficiently consider the merits of ***Plaintiff's Motion for a Preliminary Injunction***, (DN 9), filed with the Court on November 16, 2011, the court ORDERS:

1. The parties shall exchange their pre-marked exhibits on or before **November 23, 2011**. Plaintiff shall use numbers and defendant shall use letters. Exhibit lists and witness lists shall be electronically filed under the Court's Electronic Filing Procedures **and** a copy e-mailed as an attachment in Word or WordPerfect format to me¹ at Watanabe_Chambers@cod.uscourts.gov on or before **November 25, 2011**. Stipulations as to authenticity and admissibility shall be set forth on the exhibit lists. Counsel shall be prepared to stipulate to the admissibility of exhibits at the Preliminary Injunction Hearing.

2. Prior to the hearing, the parties shall meet and confer to decide upon joint exhibits and thus avoid duplication of exhibits, and shall stipulate to the authenticity and admissibility of as many exhibits as possible. If the parties agree on joint exhibits, one copy of a joint exhibit list shall be electronically filed by **November 25, 2011**, with the

¹ See the Court's Electronic Case Filing Procedures, Civil Case, Version 4.2, §§V. and V.I., which may be accessed on the Court's website.

court under the court's Electronic Filing Procedures **and** a copy e-mailed as an attachment in Word or WordPerfect format to me at [Watanabe Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov). Two copies of a joint exhibit list shall be provided to me at the Preliminary Injunction Hearing.

3. Each party shall electronically file objections to exhibits under the Court's Electronic Filing Procedures and a copy e-mailed as an attachment in Word or WordPerfect format to me at [Watanabe Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov) on or before **November 28, 2011, at 8:00 a.m.** The objections shall state in a clear and concise fashion the evidentiary grounds for the objection and the legal authority supporting such objection. If the authority is a Federal Rule of Evidence, the Rule is to be cited; if the authority is case law, a copy of the case shall be provided to the court. Two copies of the objections shall be provided at the Preliminary Injunction Hearing

4. Each party shall file their final witness list with the court on or before **November 25, 2011.**

5. Any stipulated facts shall be electronically filed under the Court's Electronic Filing Procedures and a copy e-mailed as an attachment in Word or WordPerfect format to me at [Watanabe Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov) on or before **November 25, 2011.**

6. Trial briefs, if any, shall be electronically filed under the Court's Electronic Filing Procedures and a copy e-mailed as an attachment in Word or WordPerfect format to me at [Watanabe Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov) on or before **November 25, 2011.**

General Information

1. My courtroom deputy's name is Ellen Miller, who may be reached at (303) 335-2101. Any questions concerning exhibits or courtroom equipment may be directed to her. The proceedings will be digitally recorded. Any request for transcripts should be directed to the courtroom deputy.

2. My secretary's name is Darlene Toal, who may be reached at (303) 844-2403.

3. My law clerk, Alison Andrews, may speak to counsel only pursuant to my specific directions. Please do not call my law clerk about procedural or scheduling matters.

Preliminary Injunction Hearing Order, Continued

4. At trial, all parties and witnesses shall be addressed as “Mr.”, “Mrs.”, “Ms.”, “Dr.”, etc. Informal references are not authorized except when children are testifying.

5. A Preliminary Injunction Hearing is set for a half-day hearing on **November 28, 2011, commencing at 1:30 p.m. in Courtroom A-502, Fifth Floor, Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado.**

Dated this 21st Day of November, 2011

BY THE COURT:

s/Michael J. Watanabe
MICHAEL J. WATANABE
United States Magistrate Judge