

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00158-RM-MJW

PATRICK G. HARTLEY,

Plaintiff(s),

v.

TIME WARNER NY CABLE LLC,

Defendant(s)

ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby **ORDERED** that Defendant Time Warner NY Cable LLC's Motion to Enforce Settlement or, Alternatively, for an Evidentiary Hearing, and Memorandum of Law in Support (docket no. 131) is set for an evidentiary hearing before Magistrate Judge Watanabe on **May 20, 2014, at 9:00 a.m.** in Courtroom A-502, Fifth Floor, Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado.

It is further **ORDERED** that on or before **10 business days** before this hearing, the parties shall notify the magistrate judge's courtroom deputy, Ellen Miller, who may be reached at (303) 335-2101, of any need for special accommodation for any attorney, party, or witness or any need for technological equipment, such as videoconferencing, or equipment needed for the presentation of evidence using CDROM or other electronic means of evidence presentation.

It is further **ORDERED** that on or before **five business days** prior to the hearing:

1. Defendant through counsel shall electronically file and the pro se plaintiff shall hard copy file with the Clerk of Court their briefs, not to exceed ten pages, AND shall provide a copy to the magistrate judge's chambers by email (watanabe_chambers@cod.uscourts.gov) in a Word or Word Perfect attachment; and

2. Defendant through counsel shall electronically file and the pro se plaintiff shall hard copy file with the Clerk of Court their proposed written finding of facts, conclusions of law, and order concerning Defendant Time Warner NY Cable LLC's Motion to Enforce Settlement or, Alternatively, for an Evidentiary Hearing, and Memorandum of Law in Support (docket no. 131) AND shall provide a copy to the magistrate judge's chambers by email (watanabe_chambers@cod.uscourts.gov) in a Word or Word Perfect attachment

It is further **ORDERED** that each party shall file prior to the hearing file with the Clerk of Court and at the beginning of the hearing provide the magistrate judge with an original and two copies of the following materials:

1. Witness list in alphabetical order;
2. Exhibit lists:
 - a. Hearing exhibits shall be pre-marked. Plaintiff shall use numbers and the defendant shall use letters;
 - b. The parties shall meet and exchange their pre-marked exhibits no later than five business days before the hearing;
 - c. The parties shall predetermine the designation of any exhibit which is endorsed by more than one party in order to avoid duplication of exhibits;
 - d. Each party's original hearing exhibits shall be used by the witnesses, and two copies of the exhibits shall be provided to the magistrate judge at the beginning of the hearing in notebook format;
 - e. Hearing exhibits, including the court's copies of the exhibits, shall be tabbed and placed into notebooks unless an exhibit is incapable of being placed into a notebook; and,
 - f. Any exhibit which consists of multiple pages shall have each page of the exhibit sequentially numbered for ease of reference by the witness and for clarity of the record.
3. A list of any objections any party has to the opponent's exhibits. These 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 in the Federal Rules of Evidence, then the rule number should be cited; if the authority is case law, then the court shall be provided with a copy of the case;
4. A list of witnesses' scheduling problems, indicating times of such witnesses' availability during the hearing;
5. A list of stipulated exhibits;
6. A list of stipulated facts;
7. A list of any facts of which a party is asking the court to take judicial notice; and
8. A list of any unique terms intended to be used during the hearing, in

alphabetical order (examples: medical, commercial, and scientific terms).

It is further **ORDERED** that if the parties settle this case, then a Notice of Disposition shall be filed with the Clerk of the Court no later than **five business days before the date set for the hearing.**

Signed and dated this 13th day of March, 2014

BY THE COURT:

s/ Michael J. Watanabe
MICHAEL J. WATANABE
U.S. Magistrate Judge