

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

BRIGHT HARVEST SWEET POTATO
COMPANY INC.,

Plaintiff,

v.

H.J. HEINZ COMPANY, L.P.,

Defendant.

Case No. 1:13-cv-00296-BLW

ORDER

IT IS HEREBY ORDERED,

1. Defendant shall file a response to the Motion in Limine (Dkt. 110) on or before March 6, 2015, and Plaintiff shall file a reply brief on or before March 9, 2015.
2. Defendant may file a sur-reply to Plaintiff's First Motion in Limine (Dkt. 85) on or before March 6, 2015.
3. On or before March 13, 2015, Plaintiff shall provide Defendant with a list of the order Plaintiff intends to call its witnesses.
4. Approximately 2 days before Defendant intends to begin its case-in-chief, Defendant shall provide Plaintiff with a list of the order Defendant intends to call its witnesses.
5. On a rolling basis, and if there are changes to the order witnesses will be called, counsel shall provide opposing counsel with an updated order in

which witnesses will be called. This should occur approximately 36 hours before any witness is called.

6. The Court may conduct an informal jury instruction conference on March 13, 2015. The Court will contact counsel if it intends to conduct such a conference.
7. The Jury Commissioner will provide counsel with a copy of the juror questionnaires approximately one week before trial.
8. Each party has provided the Court with proposed jury instructions. With respect to Ninth Circuit Model Instruction 1.2, the Court typically tries to provide the jury with a fairly detailed explanation of the case. Although each party has provided the Court with a suggested instruction 1.2, the Court asks the parties to meet and confer in an attempt to reach agreement on this instruction. If the parties cannot reach agreement, the parties shall submit a joint proposal indicating where the parties agree and where they do not agree. The parties shall submit their proposal on or before Friday, March 6, 2015.



DATED: March 3, 2015

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style.

B. Lynn Winmill
Chief Judge
United States District Court