

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

IN RE: FRESH AND PROCESS  
POTATOES ANTITRUST  
LITIGATION

Case No. 4:10-MD-2186-BLW

**ORDER**

The Court has received several requests by counsel to appear via telephone at the upcoming case management conference. The Court recognizes the need to limit the parties' costs, including travel expenses for attorneys. However, the Court is concerned that a telephone conference may be difficult to manage given the significant number of parties in this matter. In the past, the Court has found it difficult to conduct meaningful hearings when several attorneys appear via telephone because counsel unintentionally speak over each other and fail to identify themselves. This also makes it difficult for the Court reporter to create an accurate record.

Therefore, the Court will allow parties to appear via telephone. However, counsel appearing via telephone may be limited in their opportunities to speak. Any attorney who expects to participate in the discussions to a significant degree should make every effort to appear in person. Attorneys unable to appear in person should designate one or two attorneys to speak for a group of defendants or plaintiffs to the extent possible. The Court will provide the parties with a conference number below, and all counsel planning to

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appear via telephone shall notify the Court in advance of the hearing of their intention to appear via telephone.

## ORDER

### IT IS ORDERED:

1. Counsel may appear via telephone at the December 14, 2010 case management conference. Counsel planning to appear via telephone shall notify the Court of their intention to appear via telephone by sending an email to Courtroom Deputy Clerk Jaime Gearhart at [Jamie\\_Gearhart@id.uscourts.gov](mailto:Jamie_Gearhart@id.uscourts.gov) no later than Friday, December 10, 2010. Counsel appearing via telephone shall call into the following number at 2:55 p.m. Mountain Time on December 14, 2010: (877) 336-1828; Access Code 4685496; Security Code 9466.



DATED: **December 7, 2010**

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. LYNN WINMILL  
Chief U.S. District Court Judge