

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WHITESELL CORPORATION,

Plaintiff,

v.

WHIRLPOOL CORPORATION,

Defendant.

File No: 1:05-CV-679

HON. ROBERT HOLMES BELL

MEMORANDUM OPINION REGARDING TRIAL TIME RESTRICTIONS

This Court's decision to limit the litigants' time for trial presentation before the jury as stated in its Order Setting Trial (docket #680) prompts a short review of this case's history.

Almost from its inception, issues have arisen which have required judicial resolution. Magistrate Judge Carmody and her staff have spent considerable hours and days resolving discovery disputes. More recently, this Judge and his staff have spent hundreds of hours reading volumes of summary judgment-related briefs as well as motions in limine. In addition, commencing November 9, 2009, a summary jury trial exposed the Court to the nature of the claims and defenses to be put forth at an inevitable trial. As a result, this Court has an understanding of the dimensions a trial in this matter will take.

Federal Rules of Evidence 611(a) provides broad judicial discretion to the trial judge when trying to avoid the needless consumption of time and providing a manner of efficient and effective presentation of evidence for the ascertainment of truth. This is a busy Court, and judicial and Court resources must be wisely utilized.

Date: November 19, 2009

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE