

FILED

SEP 06 2017

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

Clerk, U.S. District Court
District Of Montana
Helena

BILLINGS DIVISION

FLAGSTONE DEVELOPMENT LLC,
an Arizona limited liability company,

Plaintiff,

vs.

ROCKY MOUNTAIN
TIMBERLANDS, LLC, a Montana
corporation

Defendant.

No. CV 08-100-BLG-SEH

ORDER

On August 25, 2017, the parties submitted, as ordered by the Court, a draft proposed pretrial order¹ for the remaining damages phase trial which included, *inter alia*, identification of James R. Foley (“Foley”) and Sheryl Sacry, CPA (“Sacry”) as “will call” witnesses.

On August 31, 2017, the Court issued its Order² excluding Foley and Sacry as expert witnesses to testify at the remaining damages phase trial in this case.

¹ Doc. No. 528.

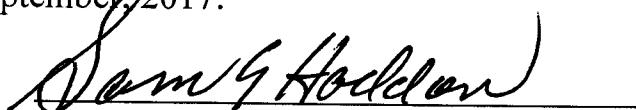
² Doc. No. 529.

The attachments to the draft preliminary pretrial order identified 150 separate “will offer” exhibits Plaintiff intends to offer into evidence at the damages phase of trial, 106 of which are the subject of one or more objections to admission from the Defendant.³

ORDERED

In the interest of expediting trial and disposition of issues, Plaintiff is expected to remove from its “will offer” exhibit list to be attached to the final pretrial order to be filed on or before September 8, 2017, any and all exhibits that were to have been offered in connection with or in support of testimony from either Foley or Sacry.

DATED this 5th day of September, 2017.


SAM E. HADDON
SAM E. HADDON
United States District Judge

³ Doc. No. 528-1.