

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

FILED

JAN 19 2018

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

WEH Magic Valley Holdings, LLC, a
limited liability corporation,

Plaintiff,

vs.

EIH Parent, LLC, a limited liability
company and James Carkulis, an
individual,

Defendants.

No. CV-15-50-H-SEH

ORDER

ORDERED:

To assist the Court, and to facilitate preparation for trial of remaining issues in Count I of Plaintiff's Second Amended Complaint¹ and in Defendants' Answer to Second Amended Complaint, Affirmative Defenses and Counterclaim² of February 14, 2017, the parties shall meet and confer on or before January 26,

¹ Doc. 82. The remaining issues in Count I were set forth in the Court's Memorandum of December 8, 2017. Doc. 178.

² Doc. 111

2018, to prepare a Proposed Final Pretrial Order for all remaining issues, in compliance with all requirements of L.R. 16.4(a)-(e) and to be filed as required by L.R. 16.4(f) on or before Friday, February 2, 2018, at 4:45 p.m.

With respect to Plaintiff's claims for attorneys' fees in Count I of the Second Amended Complaint,³ the Proposed Final Pretrial Order shall include:

1. The total amount of fees claimed;
2. The total amount of costs claimed;
3. A complete billing submission - prepared in the submitting party's customary form;
4. Identification of all witnesses who will testify on fees and costs issues; and
5. Identification of all exhibits to be offered in support of fees and costs issues.

With respect to Defendants' counterclaim in its Answer to Second Amended Complaint, Affirmative Defenses and Counterclaim,⁴ the Proposed Final Pretrial Order shall include:

1. The total amount of damages claimed;
2. The total amount of recoverable costs claimed;

³ Doc. 82.


⁴ Doc. 111

3. A calculation and breakdown of the amounts claimed;
4. Identification of all witnesses expected to testify in support of the counterclaim for damages or recoverable costs; and
5. Identification and appropriate explanation of all offered exhibits to be offered in support of the counterclaim.

FURTHER ORDERED:

Other matters relevant to the form and content of the Proposed Final Pretrial Order will be addressed if appropriate upon completion of the hearings set for 9:30 a.m. and 10:00 a.m. on February 8, 2018.

DATED this 19th day of January, 2018.


SAM E. HADDON
United States District Judge