

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

PACIFIC NORTHWEST SOLAR,
LLC,

Plaintiff,

No. CV 16-114-H-SEH

vs.

NORTHWESTERN CORPORATION,
A DELAWARE CORPORATION
DBA NORTHWESTERN ENERGY,

Defendant.

ORDER

The Court's October 26, 2021, Order, issued in response to Plaintiff's October 20, 2021, Motion,¹ recited:

All pretrial motions, fully briefed, were due on or before January 11, 2019. Plaintiff's opposed Motion for Permission to File Motions in Limine was filed October 20, 2021. It is untimely. Leave to allow late motions filing was neither sought nor granted.²

The October 20, 2021, Motion was denied.³

On November 16, 2021, Plaintiff filed an Unopposed Motion RE:
Resolution of Issues Before Trial by which it moved the Court to:

¹ Doc. 382.

² Doc. 385.

³ Doc. 385.

A. Issue a final pretrial order that resolves the differences between Plaintiff's Proposed Final Pretrial Order (Doc. 376) and Defendant's Proposed Final Pretrial Order (Doc. 375); and

B. Identify what the jury will be told or instructed, prior to the start of trial, about Defendant's breach of the four power purchase agreements.⁴

Other relevant consideration aside, the November, 16, 2021, Motion, like Plaintiff's October 20, 2021, Motion, is untimely, was filed without the parties having sought or received permission to file an additional pretrial motion, and is in derogation of the Court's October 26, 2021, Order.

ORDERED:

1. The Unopposed Motion RE: Resolution of Issues Before Trial⁵ is DENIED.

2. The hearing set for November 30, 2021,⁶ will be conducted as scheduled.

DATED this 17th day of November, 2021


SAM E. HADDON
United States District Judge

⁴ Doc. 398.

⁵ Doc. 398.

⁶ See Doc. 397.