

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLES JUAN PROCTOR,)	3:12-cv-00328-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	February 5, 2016
DR. VAN HORN, et al.,)	
)	
Defendants)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's motion to add the Declaration of John K. VanHorn as a trial exhibit. (ECF No. 163.) Plaintiff submits the VanHorn declaration which accompanied Defendants' motion for summary judgment (ECF No. 89-8). Plaintiff states his failure to submit the declaration with the proposed Pre-Trial Order was an oversight. He represent he would use the declaration "to make sure Dr. VanHorn stands by what he was sworn to in writing." (ECF No. 163 at 3.)

Defendants have responded. Defendants suggest the exhibit should be added to the third section of the Joint Pre-Trial Order along with other exhibits which "have not been stipulated to as authentic and admissible." (ECF NO. 167 at 1-2.)

The court does not understand Defendants' objection as to the authenticity of an exhibit Defendants previously submitted to the court in support of Defendants' motion for summary judgment. Nevertheless, the court will allow Defendants to voice such an objection for the time being.

Plaintiff's motion (ECF No. 163) is granted. The VanHorn declaration will be added to § VII (3) of the Joint Pre-Trial Order as next in line, i.e., No. 32. Defendants' counsel shall add a copy of the VanHorn declaration, preferably a "clean" copy, to the court's and parties' exhibit binders.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk