

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Edward Herbst, et al.

v.

Civil No. 09-cv-00233-JL

Attitash Bear Peak Resort

**O R D E R**

The Preliminary Pretrial Conference currently scheduled for **September 9, 2009 at 10:00 a.m.** will include a substantive, meaningful discussion of the parties' claims and defenses. Counsel are expected to be prepared to engage in an open, cooperative discussion in good faith. Counsel are reminded of the obligations imposed by Fed. R. Civ. P. 11(b)(3) and (4), and should be prepared to explain the factual basis underlying any claims or defenses they have pleaded.

Each party shall be represented at the Preliminary Pretrial Conference by counsel authorized to bind the party on all matters.

To the extent that the substance of this order constitutes a departure from the customary Preliminary Pretrial practice to

which counsel are accustomed, the court apologizes for the short notice, and will bear this in mind at the conference.

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Dated: September 2, 2009

cc: R. Peter Taylor, Esq.  
Thomas B.S. Quarles, Jr., Esq