

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CIVIL CASE NO. 3:08cv291

IRWIN INDUSTRIAL TOOL COMPANY,)
d/b/a BernzOmatic and NEWELL )
OPERATING COMPANY, )

Plaintiffs, )

vs. )

ORDER

WORTHINGTON CYLINDERS )
WISCONSIN, LLC, WORTHINGTON )
CYLINDER CORPORATION, and )
WORTHINGTON INDUSTRIES, INC., )

Defendants. )

THIS MATTER is before the Court sua sponte to correct a clerical error in the Amended Pretrial Order and Case Management Plan [Doc. 33], entered on September 18, 2008.

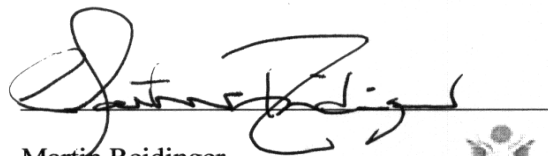
IT IS, THEREFORE, ORDERED that Section V. B. of the Amended Pretrial Order and Case Management Plan [Doc. 33] is hereby amended to read as follows:

B. COUNSEL'S DUTIES PRIOR TO TRIAL: Either one week before the Trial Date or at the final pretrial conference, which ever is **earlier**, counsel for all parties shall:

- (a) Discuss the possibility of a settlement;
- (b) Exchange copies of exhibits or permit inspection if copying is impractical;
- (c) Number and become acquainted with all exhibits;
- (d) Agree upon the issues, reduce them to writing and file them with the Court. If counsel cannot agree upon the issues, each party is directed to write his/her own version and file it with the Court;
- (e) Agree upon stipulations of fact and file them with the Court. The parties are encouraged to stipulate to as many facts as possible to facilitate the trial of the case.

**IT IS SO ORDERED.**

Signed: January 4, 2010

  
Martin Reidinger  
United States District Judge 