

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JANA ROSSON	)
	)
v.	) NO. 3-10-0429
	) JUDGE CAMPBELL
WYNDHAM VACATION	)
RESORTS, INC., et al.	)

ORDER

Pending before the Court is Plaintiff's First Motion to Continue Trial (Docket No. 155), to which Defendants have filed a Response in opposition (Docket No. 156). Plaintiff's Motion is GRANTED.

Accordingly, the bench trial set for February 7, 2012, is continued until Tuesday, October 2, 2012, beginning at 9:00 a.m. The pretrial conference, currently set for January 30, 2012, is continued until Monday, September 24, 2012 at 9:00 a.m. All lawyers who will participate in the trial must attend the pretrial conference.

Counsel shall submit a Joint Proposed Pretrial Order to the Court by September 17, 2012. The Pretrial Order shall contain: (1) a recitation that the pleadings are amended to conform to the Pretrial Order and that the Pretrial Order supplants the pleadings; (2) a statement of the basis for jurisdiction in this Court; (3) a short summary of the Plaintiff's theory (no more than one page); (4) a short summary of the Defendants' theory (no more than one page); (5) a statement of the issues; (6) a succinct statement of the relief sought; (7) a summary of any anticipated evidentiary disputes; and (8) an estimate of the anticipated length of the trial.

The parties shall also submit to the Court, by September 17, 2012, witness lists, except for witnesses solely for impeachment in accordance with Fed. R. Civ. P. 26(a)(3); exhibit lists, except for documents solely for impeachment in accordance with Fed. R. Civ. P. 26(a)(3); and any stipulations.

By September 10, 2012, the parties shall file any additional motions in limine and any motions objecting to expert testimony. Any responses to such motions shall be filed by September 17, 2012.

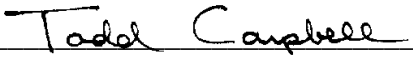
Expert witness disclosures shall be made timely, in accordance with Local Rule 39.01(c)(6)d. Responses to interrogatories, requests for production and requests for admissions shall be made timely in accordance with Local Rules 33.01(c), 34.01 and 36.01. The Court may exclude evidence, or order other sanctions, for violation of a duty or deadline to make or supplement expert witness disclosures or discovery responses.

In addition, the parties shall file pretrial briefs, on or before September 17, 2012, and shall specifically address what damages are recoverable in this action and a proposed method of reducing any future damages to present value.

Counsel shall be prepared, at the Pretrial Conference, to:

- (1) identify and discuss undisputed facts and issues;
- (2) discuss the status of discovery;
- (3) preview proposed testimony;
- (4) discuss expert testimony;
- (5) preview proposed exhibits;
- (6) discuss motions in limine; and
- (7) discuss settlement.

IT IS SO ORDERED.

  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE