

CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

TED R BURKE, ET AL,

Plaintiff,

vs.

LARRY H HAHN, ET AL,

Defendants.

Case No. 08 A 558629

Dept. No. XI

Date of Trial: 03/14/11

Time of Trial: 1:30pm

**BUSINESS COURT SCHEDULING ORDER
and TRIAL SETTING ORDER**

This BUSINESS COURT SCHEDULING ORDER and TRIAL SETTING ORDER ("Scheduling Order") is entered following the Status Check conducted on May 27, 2010. Pursuant to NRCP 16.1(f) this case has been deemed complex and all discovery disputes will be resolved by this Court.

This Order may be amended or modified by the Court upon good cause shown.

IT IS HEREBY ORDERED that the parties will comply with the following deadlines:

- Plaintiffs Supplemental Disclosures pursuant to Rule 16.1 06/18/10
- Defendants Supplemental Disclosures pursuant to Rule 16.1 07/16/10
- Motion to Amend or Add Parties 07/30/10
- Identify Experts 06/25/10
- Designation of experts pursuant to NRCP 16.1(a)(2) 09/03/10
- Designation of rebuttal experts pursuant to NRCP 16.1(a)(2) 10/15/10
- Discovery Cut Off 11/19/10
- Motions in Limine or other Dispositive Motions 12/17/10

IT IS HEREBY ORDERED THAT:

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1 A. The above entitled case is set to be tried to a jury on a Five week stacked
2 calendar to begin, **March 14, 2011 at 1:30 p.m.**

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4 B. Parties are to appear on **Tuesday, December 9, 2010, at 9:00a.m.** for a
5 Status Check on the completion of discovery in this matter.

6 C. Pretrial Memorandum. The Parties shall conduct the pretrial meeting of counsel
7 and file the pretrial memorandum required pursuant to EDCR 2.67 on or before **4:00p.m. on**
8 **February 17, 2011**, with a courtesy copy delivered to Department XI. All parties,
9 (Attorneys and parties in proper person) MUST comply with All REQUIREMENTS of
10 E.D.C.R. 2.67, 2.68 and 2.69. Counsel should include the Memorandum an identification of
11 orders on all motions in limine or motions for partial summary judgment previously made, a
12 summary of any anticipated legal issues remaining, a brief summary of the opinions to be offered
13 by any witness to be called to offer opinion testimony as well as any objections to the opinion
14 testimony.
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17 D. A Pre-Trial Conference with the designated attorney and/or parties in proper
18 person will be held on **Friday, February 18, 2011 at 9:00a.m.**

19 E. Calendar Call. All trial counsel shall appear for the case calendar call required
20 pursuant to EDCR 2.69 on **Thursday, March 10, 2011 at 9:15 a.m.** Parties must bring to
21 Calendar Call the following:
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23 (1) Typed exhibit lists;

24 (2) List of depositions;

25 (3) List of equipment needed for trial, including audiovisual equipment;¹ and
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28 ¹ If counsel anticipate the need for audio visual equipment during the trial, a request
must be submitted to the District Courts AV department following the calendar call. You
can reach the AV Dept at 671-3205 or via E-Mail at SLATW@clarkcountycourts.us

1 (4) Courtesy copies of any legal briefs on trial issues.

2 F. The Final Pretrial Conference will be set at the time of the Calendar Call. At the
3 time of the Final Pretrial conference counsel shall provide:

4 (1) All original depositions anticipated to be used in any manner during the
5 trial must be delivered to the clerk prior to the final Pre-Trial Conference. If deposition
6 testimony is anticipated to be used in lieu of live testimony, a designation (by page/line citation)
7 of the portions of the testimony to be offered must be filed and served by facsimile or hand, two
8 (2) judicial days prior to the final Pre-Trial Conference. Any objections or counterdesignations
9 (by page/line citation) of testimony must be filed and served by facsimile or hand, one (1)
10 judicial day prior to the final Pre-Trial Conference commencement. Counsel shall advise the
11 clerk prior to publication.

12 (2) In accordance with EDCR 2.67, counsel shall meet, review, and discuss
13 exhibits. All exhibits must comply with EDCR 2.27. Two (2) sets must be three hole punched
14 placed in three ring binders along with the exhibit list. The sets must be delivered to the clerk
15 prior to the final Pre-Trial Conference. Any demonstrative exhibits including exemplars
16 anticipated to be used must be disclosed prior to the calendar call. Pursuant to EDCR 2.68, at the
17 final Pre-Trial Conference, counsel shall be prepared to stipulate or make specific objections to
18 individual proposed exhibits. Unless otherwise agreed to by the parties, demonstrative exhibits
19 are marked for identification but not admitted into evidence.

20 (3) In accordance with EDCR 2.67, counsel shall meet, review, and discuss
21 items to be included in the Jury Notebook. Pursuant to EDCR 2.68, at the final Pre-Trial
22 Conference, counsel shall be prepared to stipulate or make specific objections to items to be
23 included in the Jury Notebook.

1 (4) In accordance with EDCR 2.67, counsel shall meet and discuss
2 preinstructions to the jury, jury instructions, special interrogatories, if requested, and verdict
3 forms. Each side shall provide the Court, at the final Pre-Trial Conference, an agreed set of jury
4 instructions and proposed form of verdict along with any additional proposed jury instructions
5 with an electronic copy in Word format.
6

7 (5) In accordance with EDCR 7.70, counsel shall file and serve by facsimile
8 or hand, two (2) judicial days prior to the final Pre-Trial Conference voir dire proposed to be
9 conducted pursuant to conducted pursuant to EDCR 2.68.

10 **Failure of the designated trial attorney or any party appearing in proper person to**
11 **appear for any court appearances or to comply with this Order shall result in any of the**
12 **following: (1) dismissal of the action (2) default judgment; (3) monetary sanctions; (4)**
13 **vacation of trial date; and/or any other appropriate remedy or sanction.**
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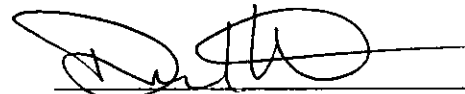
15 DATED this 1st day of June, 2010.

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17 
18 ELIZABETH GONZALEZ
19 District Court Judge

20 **Certificate of Service**

21 I hereby certify that on or about the date filed, this document was copied through e-mail,
22 or a copy of this Order was placed in the attorney's folder in the Clerk's Office or mailed to the
23 proper party as follows:

- 24 Patrick C Clary, Esq.
25 M Nelson Segal, Esq.
26 Jennifer L Taylor, Esq. (Robertson & Vick)

27 
28 Dan Kutinac