

and shall contain all items listed in that rule, including the following: a jurisdictional statement; statement (or, in Defendant's memorandum, counterstatement) of the facts of the case; damages computation, or description of other relief sought; list of intended witnesses, designated separately for liability and damages; schedule of exhibits to be offered at trial; estimate of required trial time; and special comments regarding legal issues, stipulations, amendments of pleadings or other appropriate matters. Plaintiff shall file a pretrial memorandum by **January 7, 2011**. Defendant shall file a pretrial memorandum by **January 14, 2011**.

In addition to the above, if applicable, each party is required to submit the following in conjunction with the pretrial memoranda: proposed voir dire questions, proposed jury instructions (one point per page), proposed jury interrogatories, a trial memorandum on the legal issues involved in the case. The failure to submit proposed jury instructions may result in the forfeiture of your right to object to omissions in jury charge. If possible, counsel should provide the Court with copies of the proposed jury instructions and jury interrogatories on 3.5" IBM compatible computer diskettes, in a format readable by WordPerfect.

A final pretrial conference will be held on the record on **January 18, 2011 at 9:30 a.m.** At least one of the attorneys for each party shall have the authority to enter into stipulations and to make admissions regarding all matters.

In preparation for the final pretrial conference, counsel are expected to communicate with each other on the following matters in an effort to reach agreement or, if agreement is not possible, to submit, the precise points in dispute, in writing, in a joint statement on the following: (a) agreed upon and disputed facts; (b) objections to any proposed witnesses; (c) objections to any proposed exhibits (including objections to genuineness and authenticity); (d) objections to any depositions to be read at trial; (e) disputed legal issues; (f) amendments to pleadings; (g)

stipulated to and disputed points for charge; (h) verdict sheet and special interrogatories; and (i) number of days required for trial.

Trial is scheduled for two weeks, beginning on **January 24, 2011 at 9:30 a.m.**, in Courtroom 12 A.

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Oral argument will be held on **February 8, 2011 at 9:30 a.m.** regarding any case-specific Daubert motions.

Final pretrial memoranda shall be filed pursuant to Local Rule of Civil Procedure 16.1(c) and shall contain all items listed in that rule, including the following: a jurisdictional statement; statement (or, in Defendant's memorandum, counterstatement) of the facts of the case; damages computation, or description of other relief sought; list of intended witnesses, designated separately for liability and damages; schedule of exhibits to be offered at trial; estimate of required trial time; and special comments regarding legal issues, stipulations, amendments of pleadings or other appropriate matters. Plaintiff shall file a pretrial memorandum by **February 11, 2011**. Defendant shall file a pretrial memorandum by **February 14, 2011**.

In addition to the above, if applicable, each party is required to submit the following in conjunction with the pretrial memoranda: proposed voir dire questions, proposed jury instructions (one point per page), proposed jury interrogatories, a trial memorandum on the legal issues involved in the case, and any motions *in limine*. The failure to submit proposed jury instructions may result in the forfeiture of your right to object to omissions in jury charge. If possible, counsel should provide the Court with copies of the proposed jury instructions and jury interrogatories on 3.5" IBM compatible computer diskettes, in a format readable by WordPerfect.

A final pretrial conference will be held on the record on **February 17, 2011 at 9:30 a.m.** At least one of the attorneys for each party shall have the authority to enter into stipulations and to make admissions regarding all matters.

In preparation for the final pretrial conference, counsel are expected to communicate with each other on the following matters in an effort to reach agreement or, if agreement is not possible, to submit, the precise points in dispute, in writing, in a joint statement on the following: (a) agreed upon and disputed facts; (b) objections to any proposed witnesses; (c) objections to any proposed exhibits (including objections to genuineness and authenticity); (d) objections to any depositions to be read at trial; (e) disputed legal issues; (f) amendments to pleadings; (g) stipulated to and disputed points for charge; (h) verdict sheet and special interrogatories; and (i) number of days required for trial.

Trial is scheduled for two weeks, beginning on **February 22, 2011 at 9:30 a.m.**, in Courtroom 12 A.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.