

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CHRISTIANSEN, et al,**

**Plaintiffs,**

**v.**

**WRIGHT MEDICAL  
TECHNOLOGY  
INCORPORATED, et al,**

**Defendants.**

**1:13-cv-297-WSD**

**MDL 1:12-md-2329-WSD**

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**ORDER SETTING TRIAL**

The Consolidated Pretrial Order having been filed, this case is required to be prepared for trial. All objections to expert testimony under Daubert are deemed waived pursuant to LR 26.2(c). The following filing schedule shall govern the processing of this case for trial:

1. October 2, 2015: Parties required to file Motions in Limine.
2. October 12, 2015: Parties required to file Responses to Motions in Limine.
3. October 19, 2015: Parties required to file replies to responses to motions.
4. Pretrial conference date: November 2, 2015, at 9:30 a.m.

5. Jury Trial: November 9, 2015, at 9:00 a.m.

A. Pretrial conference requirements

**Fifteen (15) business days** before the pretrial conference, the parties shall deliver to the Court the following:

1. Witness list. A list of the witnesses each parties intends to call in their case-in-chief, the order in which they are intended to be called, the anticipated time for their direct examination and a brief summary of the general subjects on which they will testify.

2. Deposition testimony. If the parties cannot resolve objections to designations of deposition testimony, the party objecting to the deposition testimony designated by another party shall submit to the Court a copy of deposition transcript pages containing the objected to testimony and two pages of testimony that precede and follow the objected to testimony. The objected to testimony shall be highlighted. If the objection is by a plaintiff, it shall be highlighted in yellow. If objected to by a defendant, it shall be highlighted in blue. The party shall attach to each objected to excerpt a statement of the basis for the objection. A copy of the highlighted excerpts and the statement of the basis for the objection shall be delivered to chambers.

The parties should be prepared to discuss pending motions in limine at the pretrial conference.

B. Pretrial requirements

**Ten (10) business days prior** to the first day of trial, each party shall deliver to the Court the following:

1. Requests to charge. Requests to charge are required only with respect to the legal issues specific to the case being tried. The Court uses the Eleventh Circuit Pattern Instructions for general matters (e.g. burden of proof, direct and circumstantial evidence, expert testimony). A copy of the Court's Standard Jury Instructions can be found on the district court's website at [www.gand.uscourts.gov](http://www.gand.uscourts.gov). On the home page, locate the Attorney Information link which will direct you to Preparation for a Civil and/or Criminal Trial Before Judge Duffey, where you will find the Court' standard instructions. If a party requests the Court to consider a change to a pattern instruction or a general matter, the request may be made by submitting a request to charge indicating clearly how the party requests the pattern charge to be altered. The original proposed charges shall be filed with the Clerk of Court, one copy shall be provided to opposing counsel and two copies shall be provided to our chambers. The copies provided to our chambers shall include,

behind each requested charge, a copy of all cited authority pertaining to the request.

Any objections to requests to charge filed by another party shall be filed within three (3) days following the requests to charge being filed.

2. Proposed verdict form. A proposed verdict form shall be submitted by each party.

3. Equipment admission order.

A lawyer who has been issued an attorney ID card by the United States Marshals Service may bring into the Courthouse, exhibits, laptops, and other equipment and material necessary for use at trial. If a lawyer does not have an attorney ID card, counsel must obtain from the Court an Order allowing counsel to bring trial exhibits and support equipment into the courthouse. The parties need to coordinate with Mr. Martin for an Order to be issued. This should be done at least ten (10) days before the hearing or trial at which documents and equipment will be needed.

4. Interpreters. Counsel for any party requiring the assistance of an interpreter must notify the Court and opposing counsel of the interpreter(s) intended to be used.

C. Trial requirements

1. Counsel statements. Opening statements are limited to fifteen (15) minutes per side. Closing arguments are limited to thirty (30) minutes per side. Parties requesting more time for these presentations must seek leave of Court at the pretrial conference.

2. Efficient use of jury time.

When the jury is in the courtroom, it is the Court's and the litigants' responsibility to use the jury's time efficiently. If matters need to be taken up outside the presence of the jury, they should be raised during breaks or before the start or after conclusion of the trial day.

3. Continuances. This trial is specifically set for a date agreed to by the parties.

4. Court's schedule. Adjustments to the calendar will be made by the Court when necessary due to scheduling problems or criminal matters which may require immediate action.

If you have any questions about this trial notice or preparation for trial, you may contact Harry Martin, the Court's Courtroom Deputy Clerk, by telephone at (404) 215-1484 or by e-mail at [harry\\_martin@gand.uscourts.gov](mailto:harry_martin@gand.uscourts.gov).

**SO ORDERED** this 21st day of September, 2015.

  
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WILLIAM S. DUFFEY, JR.  
UNITED STATES DISTRICT JUDGE