

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Criminal Case No. 14-cr-0398-WJM

UNITED STATES OF AMERICA,

Plaintiff,

v.

**1. BURTON WAGNER,**

Defendant.

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**ORDER SETTING TRIAL DATE AND RELATED DEADLINES**

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This matter comes before the Court for the setting of a trial date and related deadlines upon the entry of a Discovery Conference Memorandum and Order.

Accordingly, it is hereby ORDERED as follows:

A. All pretrial motions shall be filed by no later than **November 17, 2014**.

Responses to these motions shall be filed by no later than **December 1, 2014**. No reply shall be permitted without prior leave of Court. If a party believes an evidentiary hearing on a pretrial motion is necessary, a written request for same must be made by no later than the pretrial motion deadline;

B. The Court will not consider any motion related to the disclosure or production of discovery that is addressed by the Discovery Memorandum and Order and/or Fed. R. Crim. P. 16, unless prior to filing the motion counsel for the moving party has conferred or made reasonable, good-faith efforts to confer with opposing counsel in an effort to resolve the disputed matter. If the parties are unable to resolve the dispute,

the moving party shall state in the motion the specific efforts which were taken to comply with this Order to Confer. Counsel for the moving party shall submit a proposed order with all motions, opposed and unopposed. Opposed disclosure or discovery motions which do not demonstrate meaningful compliance with this Order to Confer will be stricken;

C. Expert witness disclosures pursuant to Fed. R. Crim. P. 16 shall be made no later than 14 days prior to the Final Trial Preparation Conference, and any challenges to such experts shall be made by not later than 7 days prior to said Conference;

D. Disclosures regarding rebuttal expert witnesses shall be made not later than 7 days prior to the Final Trial Preparation Conference, and any challenges to such rebuttal experts shall be made not later than the day prior to said Conference;

E. Local Rule D.C.COLO.LCrR 11.1 applies fully to this case. Absent an Order permitting or directing otherwise, a Notice of Disposition shall be filed **no later than 14 days before the trial date**. Upon the filing of a Notice of Disposition the Court will generally convert the Final Trial Preparation Conference to a Change of Plea hearing, unless for good cause shown a party demonstrates the interests of justice are better served by scheduling the Change of Plea hearing at a later date;

F. A Status Conference is hereby set for **November 17, 2014 at 1:30 p.m.** in Courtroom A801. Among the matters counsel are to be prepared to discuss at this Conference is the need for a trial in excess of 5 days.

G. A Final Trial Preparation Conference is hereby set for **December 2, 2014, at 11:00 a.m.** in Courtroom A801. Lead counsel who will try the case must attend in person. Any outstanding motions may be addressed at the time of the Final Trial Preparation Conference;

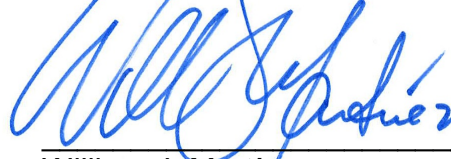
H. The parties must be prepared to address at the Final Trial Preparation Conference some or all of the issues which may affect the duration or course of the trial referenced in the Court's Revised Practice Standards applicable to such Conferences;

I. A 14-day jury trial is hereby set to commence in the U.S. District Courthouse, Courtroom A801, 901 19<sup>th</sup> Street, Denver, Colorado, on **December 8, 2014 at 8:00 a.m.**; and

J. Counsel are directed to this Court's Revised Practice to ensure compliance with all deadlines triggered by the setting of the Final Trial Preparation Conference and Trial.

Dated this 20<sup>th</sup> day of October, 2014.

BY THE COURT:



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William J. Martínez  
United States District Judge