IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Raymond P. Moore

Civil Action No. 23-cv-00313-RM-KAS

FOX FACTORY, INC.,

Plaintiff,

v.

SRAM, LLC,

Defendant.

ORDER SETTING CASE FOR TRIAL

This matter is before the Court on Plaintiff Fox Factory's Request for the Court to Set Jury Trial in January 2025 and Certificate of Compliance (ECF No. 133). The Motion is GRANTED.

This matter is scheduled for a **six-day jury trial** on the docket of Judge Raymond P. Moore in the U.S. District Court, Courtroom A601, 6th Floor, 901 19th Street, Denver, Colorado to commence on **January 27, 2025** at **9:00 a.m.**

On the first day of trial to a jury, counsel are expected to be present at **8:30 a.m.** to go over any final matters before the commencement of trial. A Trial Preparation Conference is set for **December 20, 2024** at **9:00 a.m.** Counsel who will try the case shall attend in person.

In the absence of a previously-imposed deadline, all motions to exclude expert testimony must be filed **sixty days** before the trial preparation conference.

Fourteen days before the trial preparation conference, counsel shall submit proposed jury instructions and verdict forms. The jury instructions shall identify the source of the instruction and supporting authority, e.g., § 103, Fed. Jury Practice, O'Malley, Grenig, and Lee (5th ed.). The parties shall submit their instructions and verdict forms both via CM/ECF and by electronic mail to: **Moore_Chambers@cod.uscourts.gov** in Word format. Verdict forms shall be submitted in a separate file from jury instructions. Within the jury instruction file, each jury instruction shall begin on a new page.

Each instruction should be numbered (e.g., "Plaintiff's Instruction No. 1") for purposes of making a record at the jury instruction conference. The parties shall attempt to stipulate to the jury instructions, particularly "stock" instructions and verdict forms.

In diversity cases where Colorado law applies, please submit instructions and verdict forms that conform to CJI-Civ 4th.

Seven days before the trial preparation conference, the parties shall file via CM/ECF (1) their proposed *voir dire* questions; (2) their witness lists; and (3) their exhibit lists. Forms of the witness and exhibit lists are found at http://www.cod.uscourts.gov/Judges/Judges.aspx. Please add at least ten additional blank rows at the end of the exhibit list to accommodate any additional exhibits that may be introduced at trial.

Motions in limine shall be filed no later than **seven days** before the trial preparation conference. Civil Practice Standard IV.L. Any response brief shall be filed within 14 days after service of a motion in limine and any reply brief shall be filed within 10 days of the service of the response brief.

To the extent the deadlines and other provisions of this Order conflict with this Court's Practice Standards, this Order shall control.

The parties shall be prepared to address the following issues at the Trial Preparation Conference:

1) jury selection;

2) sequestration of witnesses;

3) timing of presentation of witnesses and evidence;

4) anticipated evidentiary issues;

5) any factual stipulations; and

6) any other issues affecting the duration or course of the trial.

SO ORDERED.

DATED this 19th day of December, 2023.

BY THE COURT:

RAYMOND P. MOORE
Senior United States District Judge