

FILED

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

KEITH W. ATKINSON,
Plaintiff,

2013 NOV -7 AM 8:43

KATE
CLERK

v.

Civil Action Number 12-C-2133

GENERAL GLASS COMPANY, INC.,
and **CYNTHIA D. SMITH,**
Defendants.

ORDER

On the 4th day of November, 2013, came the parties, Plaintiff Keith W. Atkinson by counsel Kenneth E. Webb, Jr., Bowles Rice LLP, and Defendants General Glass Company, Inc. and Cynthia D. Smith by counsel Fred F. Holroyd, Holroyd & Yost, for the purpose of a telephonic scheduling conference to set dates for pre-trial and trial. Whereupon, the Court hereby ORDERS as follows:

A telephonic pre-trial conference shall be held with the Court on March 24, 2014, at 3:00 p.m., at which time the parties shall appear by phone, fully prepared to discuss all aspects of the case. At least two judicial days prior to the telephonic pre-trial conference, the parties shall provide the Court and opposing counsel with a pre-trial memorandum to include at least the following:

- (1) Statement of the case, including a brief summary of the material facts and theory of liability or defense;
- (2) Itemized statement of damages;
- (3) Stipulations of uncontested fact;
- (4) General statement of contested issues of law and, in particular, those contested issues of law requiring a ruling from the Court before commencement of trial;
- (5) Names and addresses of all witnesses, and, if any expert witness, the purpose of the testimony and whether the qualifications of the expert are to be stipulated;
- (6) Legal authorities to be relied upon;
- (7) For each party, a list of depositions and exhibits to be offered as evidence at trial, indicating as to each whether there are objections to either authenticity or relevance,

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and a statement that copies of exhibits have been exchanged by counsel or that opposing counsel have examined the exhibits; and

(8) Settlement possibilities.

A jury trial of this matter shall be held on April 8, 2014, at 9:00 a.m. at the Kanawha County Courthouse in Charleston, West Virginia. Pursuant to the representations of the parties, three (3) days are allotted for trial of this case.

IT IS SO ORDERED.

The Circuit Clerk shall forward a copy of this Order to counsel of record.

Entered this 5th day of November, 2013.



James J. Rowe, Presiding Judge
Business Court Division