

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SPECTRUM BRANDS, INC.,

Defendant.

ORDER

15-cv-371-wmc

The court held a telephonic conference today to set a schedule for the civil penalty and injunctive relief phase of this case. Consistent with the rulings during that conference, IT IS ORDERED that:

- 1) The court will hold an evidentiary hearing to determine the appropriate amount of civil penalties and injunctive relief, if any, beginning on Tuesday, February 21, 2017, unless the parties file a joint stipulation no later than Thursday, December 8, 2016, moving the evidentiary hearing to begin on Monday, March 13, 2017.
- 2) On or before Thursday, December 8, 2016, defendant may also file its motion for an interlocutory appeal and supporting brief. Plaintiff's response will be due on or before Monday, December 19, 2016. There will be no reply.
- 3) On or before Tuesday, January 17, 2017, plaintiff shall file its brief in support of civil penalties and injunctive relief, as well as any proposed order, its exhibit list and witness list. Defendant's response to plaintiff's brief and objections to plaintiff's witnesses and exhibits, as well as its exhibit list and witness list, will be due on or before Tuesday, February 7, 2017. Plaintiff may have until Tuesday, February 14, 2017, to file any objections to defendant's witnesses and exhibits, as well as rebuttal witness and exhibit lists, but there will be no reply to defendant's brief.
- 4) For the reasons stated on the record: (a) plaintiff's motions to strike (dkt. ##102, 117), defendant's motion to strike (dkt. #105), defendant's second (as to any arguments that carafe handles completely detached), third, fourth and fifth motions *in limine* (dkt. ##167-170), and plaintiff's first through fourth motions *in limine* (dkt. #150) are all DENIED on the merits or as moot;

and (b) plaintiff's fifth motion *in limine* to exclude evidence and argument related to defendant's activities in the local community in Wisconsin (dkt. #150), and defendant's second motion *in limine* (dkt. #167) related to the truth of matters asserted in consumer reports are both GRANTED.

Entered this 28th day of November, 2016.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge