

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

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UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

v.

07-CR-076-C

LUIS CORDOBA-GOMEZ,  
ANGEL ZAVALA RAMIREZ, a/k/a Carlos Garcia-Garcia,  
PABLO BALTAZAR-MORALE a/k/a Sergio Lopez-Luna,  
LUCINO MENDOZA-FLORES,  
OSIEL GARAY-PAEZ, a/k/a Alex Borgetty,  
SAUL DUARTE, a/k/a Carlos DeLosSantos-Lopez  
ELIU VILICANA-MANCILLA,  
ODILON FERNANDEZ-MARTINEZ a/k/a Marcos Martinez-Gomez,  
DANIEL AVILLA, a/k/a Daniel Velasquez and  
GABRIEL CASTANEDA-LUNA, a/k/a Felipe Diaz,

Defendants.

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At the May 24, 2007 telephonic scheduling conference, this court set the following schedule:

- 1) Detention hearings will be held at the request of a defendant.
- 2) The government must provide its required disclosures not later than May 31, 2007, with a continuing disclosure obligation throughout this case. Pursuant to Rule 12, the government has proffered that it intends to use all disclosed evidence in its case-in-chief at trial.
- 3) Defendants must file and serve any pretrial motions and discovery requests not later than August 10, 2007 by noon. Briefs need not accompany the motions. If a defendant wants an evidentiary hearing on a motion, then he must ask for it in the caption of each such motion and must provide a nonconjectural factual basis establishing a prima facie entitlement to the relief requested. *See United States v. Toro*, 359 F.3d 879, 885 (7<sup>th</sup> Cir. 2004).

4) The pretrial motion hearing and any evidentiary hearing shall be August 15, 2007 at 10:30 a.m. At the hearing the court will rule on each motion or set it for briefing in consultation with the parties. Unless the court is taking evidence on a dispositive motion, a defendant may waive his presence at the preliminary pretrial conference by filing a written waiver not later than August 10, 2007.

5) Submissions for the final pretrial conference, namely proposed voir dire questions, jury instructions and motions *in limine* must be filed and served not later than September 24, 2007.

6) The final pretrial conference shall be September 27, 2007 at 10:00 a.m. A defendant may waive his presence at the final pretrial conference by filing a written waiver not later than September 24, 2007.

7) The final hearing before the trial judge shall be October 4, 2007 at 3:00 p.m. The defendant and trial counsel must attend this hearing.

8) Jury selection and trial shall begin October 9, 2007 at 9:00 a.m. The predicted trial length is four days. The parties are jointly responsible for alerting the clerk of court forthwith if a jury need not be called.

Entered this 24<sup>th</sup> day of May, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge