

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

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UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

v.

08-cr-107-bbc

KATHERINE CHRISTIANSON,  
AARON ELLRINGER, and  
BRYAN RIVERA,

Defendants.

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At the July 29, 2008 arraignment for defendants Christianson and Ellringer, this court set the following schedule:

1) The government must provide its required disclosures not later than August 5, 2008, 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.

2) Defendants must file and serve any pretrial motions and discovery requests not later than noon, October 3, 2008. Briefs need not accompany the motions. If a defendant wants an evidentiary hearing on a motion, then he or she 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).

3) The pretrial motion hearing and any evidentiary hearing shall be October 8, 2008 at 10:30 a.m. 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 or her presence at the preliminary pretrial conference.

4) 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 November 10, 2008.

5) The final pretrial conference shall be November 14, 2008 at 10:30 a.m. A defendant may waive his or her presence at the final pretrial conference.

6) The final hearing before the trial judge shall be November 20, 2008 at 3:00 p.m. The defendant and trial counsel must attend this hearing.

7) Jury selection and trial shall begin December 1, 2008 at 9:00 a.m. The predicted trial length is two to three days. The parties are jointly responsible for alerting the clerk of court forthwith if a jury need not be called.

Entered this 29<sup>th</sup> day of July, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge