

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.07-60950 -CIV-COHN/SNOW

JORGE BROUWER, Individually and On  
behalf of All others similarly situated,

Plaintiff,

vs.

MICROSOFT CORPORATION,  
a foreign Corporation

Defendants.

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**ORDER SETTING CALENDAR CALL AND TRIAL DATE, AND  
ORDER OF REFERENCE TO UNITED STATES MAGISTRATE  
FOR SCHEDULING MATTERS AND PRETRIAL DISCOVERY MATTERS**

**PLEASE TAKE NOTICE** that the above-entitled cause is hereby set for Trial before the Honorable James I. Cohn, United States District Judge, United States Courthouse, 299 East Broward Boulevard, Courtroom 203E, Fort Lauderdale, Florida, during the **two-week trial period commencing August 4, 2008 at 9:00 a.m.**, or as soon thereafter as the case may be called.

**PLEASE TAKE FURTHER NOTICE** that Calendar Call will be held on **July 31, 2008 at 1:30 p.m.** **ALL COUNSEL MUST BE PRESENT.** At Calendar Call, counsel shall submit to the Court proposed jury instructions with substantive charges and defenses, and verdict forms, or in Non-Jury Trials, proposed findings of fact and conclusions of law. Such instructions and verdict forms shall be in typed form and, to the extent possible, accompanied by a 3-1/2 inch IBM-formatted diskette compatible with WordPerfect. To the extent these instructions are based upon the Eleventh Circuit Pattern Jury Instructions,

counsel shall indicate the appropriate 2005 Eleventh Circuit Pattern Jury Instruction upon which the instruction is modeled. All other instructions shall include citations to relevant supporting case law.

Prior to trial, counsel shall submit to the Court a typed list of proposed witnesses and/or exhibits for use by the Court during trial to track admitted exhibits. All exhibits shall be pre-labeled in accordance with the proposed exhibit list. Exhibit labels must include the case number, It is further:

**ORDERED AND ADJUDGED** pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules of the Southern District of Florida that the above-captioned cause is referred to United States Magistrate Lurana S. Snow for appropriate disposition of all pretrial discovery motions, and all motions that relate directly to these motions, such as motions for extension of time, motions for reconsideration, motions for sanctions, and motions for mental or physical examinations. This Order does not refer any motion which requests a continuance or extension of the trial or pretrial scheduling dates. It is further:

**ORDERED AND ADJUDGED** pursuant to 28 U.S.C. § 636(b)(1)(A) and the Magistrate Rules of the Local Rules of the Southern District of Florida that the above-captioned cause is referred to United States Magistrate Lurana S. Snow to conduct a Scheduling Conference pursuant to Local Rule 16.1.B for the purpose of setting pre-trial deadline dates, and for determining possible consent to the jurisdiction of the Magistrate Judge for trial. All counsel of record are required to attend the Scheduling Conference which will be noticed by Magistrate Judge Snow.

**PLEASE TAKE NOTE that any request to modify the above-set trial date must be made by motion prior to the Scheduling Conference. The foregoing does not**

**preclude consideration of a prompt motion to modify the trial date for good cause shown by a party joined in the litigation after the Scheduling Conference has occurred.**

**Plaintiff(s)' counsel shall serve a copy of this Order upon all Defendants.**

The judge who enters the first written order scheduling a case for trial on a date set, has priority over the services of the attorney so scheduled for the date set. Local Rule 16.3 A.4.

It shall be the duty of the attorneys herein set to ensure that no other judge schedules them for a trial that impacts upon or conflicts with the date set forth above. If any counsel receives a written notice of a trial from another judge, in either state or federal court, that in any way conflicts with this trial schedule setting, it is the obligation of that attorney to notify that judge immediately so that the judge may reschedule his or her calendar, thus leaving counsel conflict scheduling free for this case.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Florida, on this 12<sup>th</sup> day of July, 2007.

  
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JAMES I. COHN  
UNITED STATES DISTRICT JUDGE

Copy Provided:  
Magistrate Judge Lurana S. Snow  
all counsel of record