UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

DIANE RAE MATTSON,
Debtor(s).

SCOTT DAVID MATTSON,

Plaintiff(s),

v.

SCHEDULING ORDER
AND ORDER FOR TRIAL
ADV 04-4231
BKY 04-42772

DIANE RAE MATTSON,

Defendant(s).

IT IS ORDERED:

1. All discovery in this matter shall be concluded no later than February 7, 2005.

2. All dispositive or nondispositive motions, including those relating to discovery, shall be filed on or before Mach 7, 2005.

3. This proceeding is set for trial in Courtroom No. 7 West, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, on **April 5, 2005 at 10:30 a.m.**

4. No later than 10 days prior to trial, all parties are expected to confer and enter into a stipulation as to the following:

a. Waiver of objections to the admissibility of exhibits on the grounds of lack of identification or foundation where the identification or foundation is not to be contested;

b. Waiver of objections to the admissibility of depositions proposed to be offered in evidence, if any;

c. Facts which are not disputed. This stipulation

NOTICE OF ELECTRONIC FILING ENTRY ORDER OR JUDGEMENT
Filed and Docket Entry Made on 9-14-04
Lori Vosejpka, Acting Clerk by: Kristin Neff

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shall be reduced to writing in a form which can be adopted by the Court as Findings of Fact.

At this conference, counsel shall provide copies of each exhibit for inspection by opposing counsel and for waiver or noting of objection.

5. No later than 5 days prior to trial, counsel shall prepare, serve and file the following:

a. A trial brief containing a complete statement of points and authority for issues of law;

b. A final exhibit list containing a description of all exhibits to be offered at trial. Exhibits not listed on this list may not be offered during the party's case-in-chief. Each exhibit shall be marked and the list shall identify the exhibits by their letters or numbers.

The plaintiff shall identify the plaintiff's exhibits with numbers as follows:

Plaintiff's Exhibit 1
Plaintiff's Exhibit 2
etc.

The defendant shall identify the defendant's exhibits with letters as follows:

Defendant's Exhibit A
Defendant's Exhibit B
etc.

If there is more than one plaintiff or defendant, then the parties shall confer so as to avoid duplication of exhibit identification;

c. A final witness list containing the names, addresses and brief summary of the testimony of each witness the party will call. A person not listed on this list may not testify during the party's case-in-chief.

d. A list of depositions proposed to be offered in evidence, if any, and a statement of any objections to the receipt and evidence of portions of any such depositions, identifying the objecting party and the grounds (three

copies). Only depositions so listed shall be offered in evidence at trial except for good cause shown.

e. Proposed findings of fact, conclusions of law, and order for judgment.

6. Unless the parties agree otherwise by written stipulation, Fed. R. Civ. P. 26(a)(1), (a)(2), (a)(3) and (f), do not apply in this adversary proceeding.

7. No scheduling or pretrial conference shall be held in this matter unless requested in writing by counsel for any party. Any request for such conference shall state the reasons therefore, and a copy must be provided to counsel for all other parties to this proceeding.

8. This order is issued without prior consultation with counsel for any party. Accordingly, if the dates fixed herein present an undue burden on counsel or any party to this proceeding, counsel shall so inform the Court by way of a written request to alter such dates. Such written request shall state:

a. The reasons for any extension of time;

b. That counsel has conferred with counsel to all other parties to this proceeding regarding any proposed extension; and

c. The outcome of such conference.

A copy of any such request must be provided to counsel for all other parties to this proceeding.

9. Counsel should understand that, except as altered by this court after proper request, dates fixed hereby are mandatory. Deadlines shall not be extended except for good cause. No motion shall be heard unless filed prior to the expiration of the deadline set. The Court reserves the right to act upon such motions without a hearing, if circumstances so mandate.

10. Failure to abide by the provisions of this Order may result in imposition of sanctions upon counsel or a party.

Dated: September 14, 2004

/e/ Nancy C. Dreher

Nancy C. Dreher
UNITED STATES BANKRUPTCY JUDGE

STATE OF MINNESOTA
SS.
COUNTY OF HENNEPIN

I, Kristin Neff, hereby certify: That I am a Deputy Clerk in the Office of the United States Bankruptcy Court for the Fourth Division of the District of Minnesota, at Minneapolis, Minnesota; That on **September 14, 2004**, true and correct copies of the annexed:

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were placed by me in individual franked official envelopes, that said envelopes were addressed individually to each of the persons, corporations, and firms at their last known addresses appearing hereinafter; that said envelopes were sealed and on the day aforesaid were placed in the United States mails at Minneapolis, Minnesota, to:

BARBARA J. MAY
4105 N LEXINGTON AVE # 310
ARDEN HILLS MN 55126

SHELDON VIE
503 JACKSON AVE NW
ELK RIVER MN 55330

and this certificate was made by me.

/e/ Kristin Neff
Kristin Neff, Deputy Clerk