

# In the United States Court of Federal Claims

\* \* \* \* \*

**MICHAEL ETCHEGOINBERRY, et al.,** \*

**Plaintiffs,** \*

**v.** \*

**UNITED STATES,** \*

**Defendant.** \*

\* \* \* \* \*

**No. 11-564L**  
**Filed: October 1, 2012**

## ORDER

On September 28, 2012, the court held a status conference in the above captioned case. As indicated in the court's August 20, 2012 Order, on or before **Tuesday, October 9, 2012**, the parties shall file the joint stipulation of facts, which should be thorough and comprehensive, contained in a single document. As discussed at the September 28, 2012 status conference, to the extent the parties can agree on the language, the joint stipulated facts shall be in a narrative form. If the parties are unable to agree on any of the facts at issue, the parties shall include separate stipulations.

Included with the joint stipulation of facts shall be an appendix, inclusive of the relevant documents and court orders at issue, and the joint stipulation of facts shall include specific citations to the appendix. Each exhibit in the appendix shall be sequentially numbered and tabbed and all pages of each exhibit sequentially numbered, starting with page one of the first exhibit through the last page of the last exhibit. The parties may file the joint stipulation of facts and appendix on a disk with the Clerk's Office, and shall provide a disk to chambers, as well as provide chambers with a courtesy, paper copy of the complete joint stipulation of facts, with an index and tabs separating the documents in the appendix. As discussed at the status conference, for any voluminous exhibits included in the appendix, the parties may include only the relevant experts for the courtesy, paper copy, with enough context to ensure fairness. After review of the excerpts, but only if considered necessary by the court, the court may instruct the parties to resubmit the courtesy, paper copy of the appendix with the additional exhibits included.

Also on or before **Tuesday, October 9, 2012**, the parties shall file a joint status report indicating when the parties propose what they consider appropriate dates to refile their respective briefs to reflect the page numbers in the appendix to the joint stipulation of facts and to revise the existing the briefs to include the additional agreed upon facts

and any additional cases or other materials the parties wish to include in the briefs, as discussed at the September 28, 2012 status conference.

**IT IS SO ORDERED.**

s/Marian Blank Horn  
**MARIAN BLANK HORN**  
**Judge**