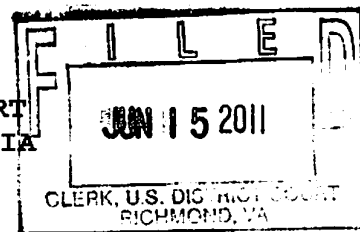


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



E.I. DUPONT DE NEMOURS
AND COMPANY,

Plaintiff,

v.

Civil Action No. 3:09cv58

KOLON INDUSTRIES, INC.,
et al.,

Defendants.

ORDER

Having conferred with counsel, having reviewed all pertinent pleadings and assessed the parties suggestion respecting the length of trial, and finding that the length of time suggested by the plaintiff for its case-in-chief and its rebuttal case is reasonable and realistic, and finding that the length of time suggested by the defendant for its defense is inflated and unrealistic, and that such a period is neither reasonable nor necessary, if the defense is confined to its proper scope and does not extend to the unrestricted, undisciplined scope outlined by defendant's counsel, and if the defense is presented in compliance with rulings previously made herein on the many motions *in limine*, it is hereby ORDERED that the plaintiff shall be allotted nine (9) trial days for its case-in-chief and two (2) trial days for its rebuttal case and that the defendant shall be allotted sixteen (16) trial days for the presentation of the defense.

However, counsel are admonished that, under Federal Rule of Evidence 611(a), the allotted trial times will be curtailed if,

during the Final Pretrial Conference or at trial, it appears that the presentation of evidence or the conduct of the trial is such as to make it necessary for the Court to act in accord with its inherent supervisory power and/or under F.R.E. 611(a) if the presentation of evidence shall become wasteful of time, confusing to the jury or prejudicial to a fair resolution of the issues.

It is further ORDERED that the Final Pretrial Conference shall be held on June 28, 2011 at 9:30 a.m. and that the trial, by jury, on the merits of the plaintiff's claims shall begin, and shall continue to completion, on the following schedule:

July 21	Jury selection
July 25-28	Plaintiff's case-in-chief
August 1-4	Plaintiff's case-in-chief
August 8	Plaintiff's case-in-chief
August 9-11	Defendant's case
August 15-18	Defendant's case
August 22-26	Defendant's case
August 29- September 1	Defendant's case
September 6-7	Plaintiff's rebuttal case
September 8	Motions and Instruction Conference
September 9	Closing Argument and Instructions

Trial sessions shall begin at 9:30 a.m. unless otherwise directed during trial.

Nine jurors will be seated.

Each side is allotted one hour for opening statements and two hours for closing arguments.

Any objections to evidence not resolved in the Final Pretrial Conference will be resolved at trial and the time required for resolution will not extend a party's allotted trial time.

It is so ORDERED.

_____/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: June 15, 2011