

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS  
EARPLUG PRODUCTS  
LIABILITY LITIGATION

Case No. 3:19md2885

This Document Relates to:  
*Estes*, 7:20cv137  
*Hacker*, 7:20cv131  
*Keefer*, 7:20cv104

Judge M. Casey Rodgers  
Magistrate Judge Gary R. Jones

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**PRETRIAL ORDER NO. 65**  
**Amendment to Pretrial Order No. 64 re: Objections**

This Order amends Pretrial Order No. 64, ECF No. 1640, with respect to how time will count against each side for objections.

The time spent by the parties making and responding to objections or other evidentiary matters *during trial*, as well as the time spent by the Court considering and ruling on those objections or evidentiary matters *during trial*, whether orally or in writing, will be charged to the losing side. Additionally, all time spent by the Court *before or during trial* resolving objections to designated deposition testimony will be charged to the losing side. Finally, all time spent by the Court resolving motions *in limine after the pretrial conference* will be charged to the losing side. Although the time the Court spends reviewing written *in limine* submissions and hearing argument on such matters prior to or during the final pretrial conference will not count against a party's allocation, it is very possible the Court will be unable

to resolve all motions *in limine* before or during the final pretrial conference. This depends, of course, on the number of motions filed. The Court will advise each side prior to the start of trial how much time has been charged for these matters and how much time remains for each side.

All other provisions of Pretrial Order No. 64, ECF No. 1640, remain unchanged.

**SO ORDERED**, on this 3rd day of February, 2021.

*M. Casey Rodgers*

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**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**