

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

In re:

Nilex USA Inc.,

Debtor in Foreign Proceeding.

Bankruptcy Case No. 22-14719 KHT

Chapter 15

ORDER AND NOTICE OF EVIDENTIARY HEARING BY VIDEOCONFERENCE

NOTICE IS HEREBY GIVEN that the hearing set for **Thursday, January 12, 2023 at 9:30 a.m. MST** will be conducted on by videoconference. Counsel and/or parties should not appear in person. Information regarding video appearances is available on the Court's website at: www.cob.uscourts.gov/content/chief-judge-kimberley-h-tyson-kht.

IT IS ORDERED that:

1. **Witnesses and Exhibits.** The requirements in this Order specifically supersede the requirements in Local Bankruptcy Rule 9070-1. A List of Witnesses and Exhibits shall be filed with the Court by **January 6, 2023**, substantially in the form of L.B. Form 9070-1.1. Do not file the actual exhibits unless otherwise directed by the Court. Do not file the actual exhibits unless otherwise directed by the Court. Any illustrative aids to be used at trial in opening statements, with a witness, or in closing arguments, shall be exchanged by **January 6, 2023**.
 - a. The parties must exchange FULL SETS of intended exhibits, including all possible rebuttal exhibits, prior to trial. Exhibits which have been attached to pleadings or provided as discovery responses are not considered to be exchanged for purposes of trial preparation.
 - b. Exhibits must be individually marked for identification (Movant - numbers and Respondent - letters).
 - c. Multi-page exhibits should be individually page-numbered.
 - d. Expert witnesses must be specifically identified.
 - e. A copy of each exhibit shall be tendered to the Court by **January 9, 2023** via email. The information shall be emailed to **KHT_Courtroom@cob.uscourts.gov**. It is counsel's and/or the parties' responsibility to ensure their witnesses possess complete copies of all marked exhibits for the Zoom video conference. The parties are encouraged to confer and, if possible, prepare a set of stipulated exhibits prior to the hearing for use by the Court and all parties.
 - f. In accordance with L.B.R. 9070-1(e), upon the conclusion of the trial or hearing, the attorneys or parties must retain custody of their respective

original exhibits and deposition transcripts until all need for the exhibits and deposition transcripts has terminated and the time for appeal has expired, or all appellate proceedings have been terminated, plus 60 days. In the event an appeal is filed, the attorneys or parties must provide their exhibits to the appellate court pursuant to the appellate court's direction.

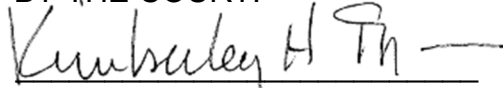
2. **Court Appearances.** If a party does not join the video conference, it will be deemed a failure to appear. Failure to connect to the video conference in a timely manner will preclude participation in the evidentiary hearing. The Court strongly encourages all participants to read the Court's guidelines for zoom video conferences on its website in advance of the hearing.

Counsel and/or the parties are strictly prohibited from recording any court proceeding held by video or teleconference, including taking "screen shots" or other visual copies. Violation of this prohibition may result in sanctions as deemed necessary by the Court.

Failure to file any of the required documents as set forth above will result in the hearing being vacated and may result in denial of the relief requested and/or sanctions upon the party and counsel failing to comply.

DATED this 9th day of December, 2022

BY THE COURT:



Kimberley H. Tyson
United States Bankruptcy Judge