

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MARK ADAMS, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 18-1330-RGA
	:	
JOHN H. KLEIN,	:	
	:	
Defendant.	:	

**ORDER IN REGARD TO TRIAL**

The parties, as requested, submitted a status report in regard to the scheduled April 5<sup>th</sup> jury trial in the above-captioned case. (D.I. 179).

The Court as an entity has not decided to cancel jury trials in April. But the Court’s anticipated capacity for when jury trials restart is one at a time. Right now, there is a jury trial with Judge Noreika scheduled for April 5<sup>th</sup> that takes precedence over this one. Thus, if the parties agree, this case will continue on standby for a jury trial on April 5. Or, if the parties agree, the case could be rescheduled for a bench trial on April 5. Or, the case could be continued to another date. The parties should promptly advise which of these options they prefer.

As for the dispute about non-party witnesses, I am not inclined to have them testify remotely. If they were deposed and are “unavailable” within the meaning of the rules, relevant portions of their depositions may be presented. If there is some witness for whom there is a good argument remote testimony should be allowed, the party requesting the remote testimony should submit a letter explaining why such testimony is necessary and why not allowing it to be

provided remotely would be unreasonable.

IT IS SO ORDERED this 25<sup>th</sup> day of February 2021.

/s/ Richard G. Andrews  
United States District Judge