

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

|                            |   |                          |
|----------------------------|---|--------------------------|
| WEBSTER CAPITAL FINANCE,   | : |                          |
| INC.,                      | : |                          |
|                            | : |                          |
| Plaintiff,                 | : |                          |
|                            | : |                          |
| v.                         | : | CASE NO. 3:11CV320 (RNC) |
|                            | : |                          |
| CRAIG WALLACE CONSTRUCTION | : |                          |
| LLC and CRAIG C. WALLACE,  | : |                          |
|                            | : |                          |
| Defendants.                | : |                          |

ORDER REGARDING HEARING ON DAMAGES

A hearing on damages shall be held before the undersigned on **September 29, 2011** at 10:30 a.m. in the East Courtroom at the United States District Court for the District of Connecticut, 450 Main Street, Hartford, Connecticut.

By **September 12, 2011**, the plaintiff shall file a memorandum of law which shall include the following:

(1) the procedural history of the case as it is relevant to the damages hearing;

(2) a discussion of how service of process of the complaint was accomplished, with supporting affidavits if necessary, and the legal authority explaining why that service of process was sufficient;

(3) the facts the plaintiff believes the court should rely upon to grant the requested relief, including facts to be adduced at the hearing;

(4) a summary of the legal elements that must be met for the plaintiff's cause(s) of action and an explanation of how those

elements have been met;

(5) a list of any witnesses the plaintiff intends to call at the hearing, the subject matter of each witness's testimony and an estimate of the length of time of each witness's testimony;

(6) a list of the exhibits the plaintiff intends to offer at the hearing, a brief description of the exhibit and the legal basis for admissibility of the exhibit (e.g. F.R.E. 803(6), record of regularly conducted activity);

(7) if the plaintiff intends to rely upon affidavits at the hearing, see e.g. Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp., 109 F. 3d 105, 111 (2d Cir. 1997), a list of the affidavits the plaintiff intends to offer and the subject matter of the affidavits;

(8) the relief requested;

(9) the legal authority for the court's award of the requested relief; and

(10) if the plaintiff requests attorney fees and costs as part of the plaintiff's relief, an affidavit and any other appropriate documentation setting forth the basis for the amount requested.

The plaintiff shall cause a copy of this order and the memorandum of law to be served upon the defaulted defendant by **September 14, 2011.**

SO ORDERED at Hartford, Connecticut this 24th day of August, 2011.

\_\_\_\_\_/s/\_\_\_\_\_  
DONNA F. MARTINEZ  
UNITED STATES MAGISTRATE JUDGE