

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

UNITED STATES OF AMERICA,

v.

(1) AGHORN OPERATING, INC.,
(2) TRENT DAY, and (3) KODIAK
ROUSTABOUT, INC.

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MO:22-CR-00049-DC

AMENDED SCHEDULING ORDER

After reviewing the status of this case and the entire record, the Court **ORDERS** that these deadlines be set:

- **Jury Selection and Trial.** Jury selection is set for **February 3, 2025**, at **8:30 a.m.** before the Honorable David Counts in the Midland U.S. District Courtroom located at 200 E. Wall Street, Midland, Texas 79701. All parties must be present and ready to proceed no later than **8:00 a.m.** A final pretrial conference will take place immediately following jury selection. Trial will begin thereafter.
- **Docket Call.** Judge Counts will conduct a docket call on **December 11, 2024**, at **9:00 a.m.** Defendants, defense counsel, and government counsel must personally be present. All disputed motions which require an evidentiary hearing will be heard at that time. All witnesses necessary for any such motion shall be present without exception. The parties will receive the first draft of the Court's proposed jury charge after the hearing.
- **Plea Deadline.** Any plea agreement entered into by the parties in this cause shall be made known in writing to this Court on or before **December 18, 2024**.¹ The Court will not honor any plea bargain or plea agreement thereafter without good cause for such delay.
- **Witness and Exhibit Lists Deadline.** The parties shall file witness and exhibit lists on or before **December 10, 2024**. Amendments thereafter may be filed only upon leave of Court.

¹ See Fed. R. Crim. P. 11(e)(5); *United States v. Ellis*, 547 F.2d 863 (5th Cir. 1977).

- **Motions Deadline.** The parties shall file all motions, including motions in limine, on or before November 8, 2024. Any party seeking to file a motion past the deadline may only do so upon leave of Court. Responses, if any, are due on or before November 22, 2024.
- **Expert Designations Deadline.** The parties shall designate expert witnesses on or before October 1, 2024.

It is so **ORDERED**.

SIGNED this 16th day of July, 2024.

A handwritten signature in black ink, appearing to read 'David Counts', with a stylized star-like flourish at the end.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE