

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>STEVEN HALL,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 09-277-P-H</b>
	)	
<b>HOME DEPOT U.S.A., INC.,</b>	)	
<b>CRARY COMPANY, AND</b>	)	
<b>TERRAMARC INDUSTRIES, INC.,</b>	)	
	)	
<b>DEFENDANTS</b>	)	

**ORDER ON MOTION TO BIFURCATE**

After oral argument on November 4, 2010, and upon further review of the pleadings and the vendor buying agreement, I now **GRANT** the motion of the defendants Crary Company and Terramarc Industries, Inc. for a separate trial, under Fed. R. Civ. P. 42(b), of the cross-claims between these defendants and the defendant Home Depot U.S.A., Inc. I conclude that it will be less confusing for the jury to hear first and separately the plaintiff's direct claims against the defendants, and then, depending on the verdict, to hear the cross-claims between defendants. If both trials must go forward, it will result in very little additional time since the same jury will hear the second trial.

**SO ORDERED.**

**DATED THIS 4TH DAY OF NOVEMBER, 2010**

/s/D. BROCK HORNBY  
\_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE (PORTLAND)  
CIVIL DOCKET NO. 2:09cv277 (DBH)**

**STEVEN A. HALL,**

**Plaintiff**

Represented By **KENNETH D. PIERCE**  
**ERICA M. JOHANSON**  
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[ejohanson@monaghanleahy.com](mailto:ejohanson@monaghanleahy.com)

**v.**

**HOME DEPOT U.S.A., INC.,**

**and**

Represented By **BLAIR A. JONES**  
Friedman, Gaythwaite, Wolf &  
Leavitt  
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**CRARY COMPANY,**

**and**

**TERRAMARC INDUSTRIES, INC.,**

**Defendants**

Represented By **DANIEL RAPAPORT**  
**HOLLY RUSSELL JONES**  
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