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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE NO. CV _____ DT

ORDER FOR JURY TRIAL:

Plaintiff(s),

vs.

Defendant(s).

- 1. **Establishing a Discovery Cut-Off Date of _____**
- 2. **Setting the Final Pre-Trial Conference for _____ at 1:30 P.M.**
- 3. **Setting _____ at 9:30 A.M. as the Trial Date**
- 4. **Re: Preparation for JURY TRIAL**

SCHEDULING:

1. In General: All motions to join other parties or to amend the pleadings shall be filed and served within sixty (60) days of the date of this order and noticed for hearing within ninety (90) days hereof. All unserved parties are subject to dismissal at the time of the Final Pre-Trial Conference.

1 counsel which permit responses to be served after the cut-off date
2 except in unusual circumstances and upon a showing of good cause.

3 E. Discovery Motions: Any motion respecting the
4 inadequacy of responses to discovery must be filed and served not
5 later than ten (10) days after the discovery cut-off date. Whenever
6 possible, the Court expects counsel to resolve discovery problems
7 among themselves in a courteous, reasonable, and professional manner.
8 Consistent resort to the Court for guidance in discovery is
9 unnecessary and will result in the Court appointing a Special Master
10 at the joint expense of the parties to resolve discovery disputes.
11 The Court expects that counsel will strictly adhere to the Civility
12 and Professional Guidelines adopted by the United States District
13 Court for the Central District of California in July of 1995.

14 F. Disclosure of Expert Testimony: Pursuant to
15 Fed.R.Civ.P. P. 26(a)(2)(c), a party shall make all disclosures
16 required at the time and in the sequence directed by the Court. On
17 the absence of other directions from the Court or stipulation by the
18 parties, the disclosures shall be made at least 90 days before the
19 trial date or the date the case is to be ready for trial, or, if the
20 evidence is intended solely to contradict or rebut evidence on the
21 same subject matter identified by another party under paragraph
22 (2)(B), within 30 days after the disclosure made by the other party.
23 The parties shall supplement these disclosures when required under
24 subdivision (e)(1).

1 FINAL PRE-TRIAL CONFERENCE:

2 This case has been placed on calendar for a Final Pre-Trial
3 Conference pursuant to Fed.R.Civ.P. 16 and 26. Unless excused for
4 good cause, each party appearing in this action shall be represented
5 at the Final Pre-Trial Conference, and all pre-trial meetings of
6 counsel, by the attorney who is to have charge of the conduct of the
7 trial on behalf of such party.

8 STRICT COMPLIANCE WITH THE REQUIREMENT OF FED.R.CIV.P. 26 AND
9 LOCAL RULES ARE REQUIRED BY THE COURT. Therefore, carefully prepared
10 Memoranda of Contentions of Fact and Law, Witness List, and Exhibit
11 List shall be submitted to the Court by each party.

12 The Memoranda of Contentions of Fact and Law, Witness List and
13 Exhibit List are due twenty-one (21) days before the Final Pre-Trial
14 Conference.

15 If expert witnesses are to be called at trial, each party shall
16 list and identify their respective expert witnesses. Failure of a
17 party to list and identify an expert witness shall preclude a party
18 from calling an expert witness at trial. If expert witnesses are to
19 be called at trial, the parties shall exchange at the Final Pre-Trial
20 Conference short narrative statements of the qualifications of the
21 expert and the testimony expected to be elicited at trial. If
22 reports of experts to be called at trial have been prepared, they
23 shall be exchanged at the Final Pre-Trial Conference but shall not
24 substitute for the narrative statements required.

25 TRIAL PREPARATION FOR JURY TRIAL - MOTIONS, INSTRUCTIONS AND
26 EXHIBITS:

1 THE COURT ORDERS that all counsel comply with the following in
2 their preparation for trial:

3 1. MOTIONS IN LIMINE:

4 All motions in limine must be filed and served a minimum
5 of forty-five (45) days prior to the scheduled trial date. Each
6 motion should be separately filed and numbered. All opposition
7 documents must be filed and served at least twenty (20) days prior to
8 the scheduled trial date. All reply documents must be filed and
9 served at least five (5) days prior to the scheduled trial date.

10 All motions in limine will be heard on the scheduled trial
11 date.

12 2. JURY INSTRUCTIONS/SPECIAL VERDICT FORMS:

13 Thirty-five (35) days before trial, plaintiff shall serve
14 plaintiff's proposed jury instructions and special verdict forms on
15 defendant. Twenty-eight (28) days before trial, defendant shall
16 serve on plaintiff defendant's objections to plaintiff's instructions
17 together with any additional instructions defendant intends to offer.
18 Twenty-one (21) days before trial, counsel are ordered to meet and
19 confer to attempt to come to agreement on the proposed jury
20 instructions.

21 Fourteen (14) days before trial, counsel shall file with the
22 Court a JOINT set of jury instructions on which there is agreement.
23 Defendant's counsel has the burden of preparing the joint set of jury
24 instructions. At the same time each party shall file its proposed
25 jury instructions which are objected to by any other party,
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1 accompanied by points and authorities in support of those
2 instructions.

3 Seven (7) days before trial, counsel are to file points and
4 authorities supporting their objections to any other parties'
5 proposed jury instructions.

6 The Court prefers the use of "Devitt & Blackmar," "Manual of
7 Model Jury Instructions for the Ninth Circuit," or applicable "BAJI"
8 instructions as modified or supplemented to fit the circumstances of
9 this case. Each requested instruction shall be set forth in full; be
10 on a separate page; be numbered; cover only one subject or principle
11 of law; not repeat principles of law contained in any other requested
12 instructions; and cite the authority for a source of the requested
13 instruction. In addition to the foregoing, each party shall file
14 with the Courtroom Deputy on the first day of trial a "clean set" of
15 the aforesaid requested duplicate jury instructions in the following
16 form: Each requested instruction shall be set forth in full; be on a
17 separate page with the caption "COURT'S INSTRUCTION NUMBER ____";
18 cover only one subject or principle of law; and not repeat principles
19 of law contained in any other requested instruction. The "clean set"
20 shall not cite the authority for a source of the requested
21 instruction.

22 During the trial and before argument, the Court will meet with
23 counsel and settle the instructions. **Failure of counsel to strictly**
24 **follow the provisions of this section may subject the non-complying**
25 **party and/or its attorney to sanctions and shall constitute a waiver**
26 **of jury trial in all civil cases.**

1 All counsel are to meet not later than ten (10) days before
2 trial and to stipulate so far as is possible as to foundation, waiver
3 of the best evidence rule, and to those exhibits which may be
4 received into evidence at the start of trial. The exhibits to be so
5 received will be noted on the extra copies of the exhibit lists.

6 The Clerk is ordered to serve a copy of this Order either
7 personally or by electronic mail or by mail on counsel for all
8 parties to this action.

9 DATED: December 1, 2000

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12 _____
13 Dickran Tevrizian, Judge
14 UNITED STATES DISTRICT COURT

15 COPIES TO:
16 COUNSEL OF RECORD
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