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4 **United States District Court**
5 **for the Central District of California**
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7) **CASE NO.**
8) **CIVIL COURT TRIAL ORDER**
9 **Plaintiff(s),**)
10 **v.**)
11 **Defendant(s).**)
12 _____)
13

14 The above matter is set for trial before the Honorable Audrey B. Collins, Courtroom 680, Roybal
15 Federal Building, 255 East Temple Street, Los Angeles, CA 90012.
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17 **PRETRIAL AND TRIAL DATES**

- 18 1. The Court orders the following dates:
19 a. Cut-off date for filing motions to join other parties and amend the pleadings is
20 _____.
21 b. Discovery cut-off is _____.
22 c. Cut-off date for motions to be filed is Monday, _____.
23 d. Final Pretrial Conference is set for Monday, _____ at 10:00 a.m.
24 e. Trial is set for Tuesday, _____ at 8:30 a.m.
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DISCOVERY

2. The Court has ordered the above cut-off date for discovery in this action. *The non-expert discovery cut-off date means the last day by which all depositions must be completed and responses to all previously served written discovery must be provided. It does not mean the last day to initiate discovery or to file a motion with the magistrate judge seeking to compel discovery.* A deposition commenced at least five (5) days before the cut-off date may continue beyond the cut-off date. Discovery should be kept to a minimum and focus only on issues genuinely in dispute. Counsel are expected to resolve substantially all discovery problems without the assistance of the court. If discovery disputes cannot be resolved, the court requires strict compliance with the requirements of Local Rule 37.

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LAW AND MOTION

3. The Court has ordered the above cut-off date for the filing of motions in this action. **Efiling is mandatory as of January 2, 2008. Two sets of courtesy copies must be delivered directly to chambers by 12:00 p.m. (noon) of the court day following the efilng of any document. For Security reasons, courtesy copies of filings should be removed from envelopes or folders before placing them in the chambers drop-box.**

4. *Counsel must comply with Local Rule 7, including Rule 7-3, Conference of Counsel Prior to Filing of Motions. See detailed discussion in Court's Order Re Pretrial Conferences, Motions, and Efilngs.*

5. When filing motions for summary judgment, the court encourages the moving party to provide more than the minimum twenty-one (21) day notice. The moving party should deliver to chambers a copy of a diskette in WordPerfect 9 format, containing the Statement of Uncontroverted Facts and Conclusions of Law.

1 6. If oral argument is not required, counsel will be advised the week before the hearing date. If oral
2 argument is to be heard, a tentative ruling or an outline of issues on which argument should concentrate
3 will generally be available 30 minutes before the time of hearing.

4 **SETTLEMENT PROCEDURES**

5 7. As set forth in Local Rule 16-14, a settlement procedure is required in every case. A Notice of
6 Settlement Procedure shall be filed not later than 14 days after entry of the Scheduling Order (L.R. 16-
7 14.2). Counsel should become familiar with the options presented by Local Rule 16-14.4. Counsel are
8 responsible for conducting settlement procedures no later than forty-five (45) days before the Pretrial
9 Conference and shall submit with the proposed Pretrial Conference Order a status report detailing what
10 procedure has been followed (L.R. 16-14.2).

11 8. The undersigned will not conduct settlement conferences in non-jury cases which she is to try.

12 9. Unless otherwise ordered by the judge or magistrate conducting a settlement conference, the
13 parties shall follow the "Requirements for Settlement Procedures" set forth in Local Rule 16-14.5.

14 10. If a settlement is reached, it shall be reported immediately to this court as required by Local Rule
15 16-14.17. In addition, the parties must file a Status Report re Settlement at the time that they lodge the
16 Proposed Pre-Trial Conference Order, indicating whether they have conducted the Local Rule 16
17 Settlement Conference and/or what additional steps are being taken to achieve settlement.
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MOTIONS IN LIMINE

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2 11. Motions in limine on classes of evidence which are appropriate for preliminary rulings
3 must be filed by the Monday two weeks before the date of the Final Pretrial Conference.
4 Oppositions shall be filed seven (7) days later. The Court does not appreciate mass filings of
5 such motions and may limit those heard if parties abuse the process.

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7 **FINAL PRETRIAL CONFERENCE**

8 12. This case has been placed on calendar for a Final Pretrial Conference ("FPTC"), as stated above,
9 pursuant to Fed. R. Civ. P. 16 and Local Rule 16, unless the FPTC is exempted pursuant to L.R. 16-11 or
10 was expressly waived at the Pretrial/Scheduling Conference by the Court. Unless excused for good cause,
11 each party appearing in this action shall be represented at the FPTC and all pretrial meetings by the
12 attorney who is to have charge of the conduct of the trial on behalf of such party.

13 13. A continuance of the FPTC at counsel's request or stipulation is highly unlikely. Counsel should
14 plan to do the necessary pretrial work on a schedule which will insure its completion with time to spare
15 before the FPTC, and in accordance with Local Rule 16. Specifically, failure to complete discovery is not
16 a ground for a continuance.

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18 14. The Memoranda of Contentions of Fact and Law, Witness Lists, and Joint Exhibit Lists are due
19 twenty-one (21) calendar days before the PTC. The proposed Final Pretrial Conference Order ("FPTCO")
20 is to be lodged and served seven (7) days before the PTC. As required by Local Rule 16-6, the FPTCO
21 should follow the format shown in Pretrial Form No. 1 set forth in Exhibit "A" to the Local Rules.
22 Adherence to the time requirements is absolutely necessary for in-chambers preparation of the matter.
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1 15. At the FPTC, counsel should be prepared to discuss means of streamlining the trial, including, but
2 not limited to: bifurcation, presentation of non-critical testimony by deposition excerpts, stipulations as to
3 the content of testimony, and qualification of experts by admitted resumes. In rare cases where the PTC is
4 waived by the Court, counsel must follow Local Rule 16-10.

5 **TRIAL PREPARATION FOR COURT TRIAL - FINDINGS OF FACT AND CONCLUSIONS OF**
6 **LAW, EXHIBITS AND LISTS**

7 16. The court orders that counsel comply with the following in their preparation for trial:
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- 10 a. Counsel for each party shall lodge and serve proposed Findings of Fact and
11 Conclusions of Law at least seven (7) days before trial.
 - 12 b. The parties shall be prepared to submit to the Court, and to exchange among
13 themselves, supplemental findings of fact and conclusions of law during the
14 course of the trial.
 - 15 c. Counsel are to prepare their exhibits for presentation at the trial by placing
16 them in 3-hole notebooks which are tabbed down the side with the exhibit
17 numbers. These notebooks are to be prepared in an original for the Clerk
18 and two copies. The originals shall each be tagged with the appropriate
19 exhibit tags in the upper or lower right-hand corner of the first page of each
20 exhibit. Each notebook shall contain a list of each exhibit included.
21 Counsel shall supply three extra copies of their individual or joint exhibit
22 list and witness list to the Clerk at the trial. The exhibits are to be numbered
23 in accordance with Local Rule 16-5.
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1 d. All counsel are to meet not later than ten (10) calendar days before trial and
2 to stipulate as far as is possible to foundation, waiver of the best evidence
3 rule, and which exhibits may be received into evidence at the start of trial.
4 The exhibits to be so received will be noted on the extra copies of the
5 exhibit lists.
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7 Dated: _____
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11 AUDREY B. COLLINS
12 United States District Judge
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