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4 **United States District Court**
5 **for the Central District of California**
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9) **Plaintiff(s),**
10)

11) **v.**
12)

13) **Defendant(s).**
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_____)

CASE NO.

CIVIL COURT TRIAL ORDER

15 The above matter is set for trial before the Honorable Audrey B. Collins, Courtroom
16 680, Roybal Federal Building, 255 East Temple Street, Los Angeles, CA 90012.

17 **PRETRIAL AND TRIAL DATES**
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19 1. The Court orders the following dates:

20 a. Cut-off date for filing motions to join other parties and amend the pleadings is

21 _____.

22 b. Discovery cut-off is _____.

23 c. Cut-off date for motions to be filed is Monday, _____.

24 d. Final Pretrial Conference is set for Monday, _____ at 10:00
25 a.m.

26 e. Trial is set for Tuesday, _____ at 8:30 a.m.
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DISCOVERY

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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.

LAW AND MOTION

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3. The Court has ordered the above cut-off date for the filing of motions in this action. **Two sets of mandatory chambers' paper copies must be delivered directly to chambers by 12:00 p.m. (noon) of the court day following the filing of any document. *For security reasons, paper copies of filings should be removed from envelopes or folders before being placed in the chambers drop-box.* Counsel should familiarize themselves with Central District General Orders 08-02 and 08-11.**

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

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5. When filing motions for summary judgment, the Court encourages the moving party to provide more than the minimum twenty-eight (28) day notice.

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

1 **SETTLEMENT PROCEDURES**

2 7. As set forth in Local Rule 16-15.1, a settlement procedure is required in every case. A
3 Notice of Settlement Procedure shall be filed not later than 14 days after entry of the Scheduling
4 Order (L.R. 16-15.2). Counsel should become familiar with the options presented by Local Rule
5 16-15.4. Counsel are responsible for conducting settlement procedures no later than forty-five
6 (45) days before the Pretrial Conference and shall submit with the proposed Pretrial Conference
7 Order a status report detailing what procedure has been followed (L.R. 16-15.2). If the parties do
8 not file a timely Notice of Settlement Procedure Selection, the trial judge may order the parties to
9 participate in any of the settlement procedures set forth in this rule (L.R. 16 - 15.3).
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11 8. The undersigned will not conduct settlement conferences in non-jury cases which she is to
12 try.
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14 9. Unless otherwise ordered by the judge or magistrate judge conducting a settlement
15 conference, the parties shall follow the “Requirements for Settlement Procedures” set forth in
16 Local Rule 16-15.5.
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18 10. If a settlement is reached, it shall be reported immediately to this court as required by
19 Local Rule 16-15.7. In addition, the parties must file a Status Report re Settlement at the time
20 that they lodge the Proposed Pre-Trial Conference Order, indicating whether they have
21 conducted the Local Rule 16 Settlement Conference and/or what additional steps are being taken
22 to achieve settlement.
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PREPARATION FOR FINAL PRETRIAL CONFERENCE

1 11. Compliance with all requirements of Local Rule 16 is required by the Court. Carefully
2 prepared Memoranda of Contentions of Fact (which may also serve as the trial brief), Witness
3 Lists, Joint Exhibit Lists, and a Final Pretrial Conference Order (“FPTCO”) shall be submitted in
4 accordance with the time limits and other requirements of Local Rules 16 - 4 through 16 - 7.

5 Note that service and filing of these documents begins 21 days before the Final Pretrial
6 Conference. (L.R. 16 - 4).

7 Also note that Rule 16 contains specific requirements for presentation of deposition
8 testimony (L.R. 16 -2.7) and disclosure of graphic and illustrative material (L.R. 16 - 3).

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10 12. As required by Local Rule 16 - 7.2, the FPTCO should follow the format shown in Pretrial
11 Form No. 1 set forth in Appendix A to the Local Rules.
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13 **MOTIONS IN LIMINE**

14 13. Motions in limine on classes of evidence which are appropriate for preliminary rulings
15 must be filed no later than twenty-eight (28) days before the date of the Final Pretrial
16 Conference. Oppositions shall be filed no later than twenty-one (21) days before the date of the
17 Final Pretrial Conference. Reply briefs shall be filed no later than fourteen (14) days before the
18 date of the Final Pretrial Conference. The Court does not appreciate mass filings of such motions
19 and may limit those heard if parties abuse the process.
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21 **FINAL PRETRIAL CONFERENCE**

22 14. This case has been placed on calendar for a Final Pretrial Conference (“FPTC”), as stated
23 above, pursuant to Fed. R. Civ. P. 16 and Local Rule 16, unless the FPTC is exempted pursuant to
24 L.R. 16-11 or was expressly waived at the Pretrial/Scheduling Conference by the Court. Unless
25 excused for good cause, each party appearing in this action shall be represented at the FPTC and
26 all pretrial meetings by the attorney who is to have charge of the conduct of the trial on behalf of
27 such party.
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1 15. No continuance of the FPTC shall be granted merely on stipulation of the parties. (Local
2 Rule 16-9). Counsel should plan to do the necessary pretrial work on a schedule which will
3 ensure its completion with time to spare before the FPTC, and in accordance with Local Rule 16.
4 Specifically, failure to complete discovery is not a ground for a continuance.

5 16. At the FPTC, counsel should be prepared to discuss means of streamlining the trial,
6 including, but not limited to, bifurcation, presentation of non-critical testimony by deposition
7 excerpts, stipulations as to the content of testimony, and qualification of experts by admitted
8 resumes. In rare cases where the PTC is waived by the Court, counsel must follow Local Rule 11-
9 2.

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11 **TRIAL PREPARATION FOR COURT TRIAL - FINDINGS OF FACT AND**
12 **CONCLUSIONS OF LAW, EXHIBITS AND LISTS**

- 13 17. The Court orders that counsel comply with the following in their preparation for trial:
- 14 a. Counsel for each party shall lodge and serve proposed Findings of
15 Fact and Conclusions of Law at least seven (7) days before trial.
 - 16 b. The parties shall be prepared to submit to the Court, and to exchange
17 among themselves, supplemental findings of fact and conclusions of
18 law during the course of the trial.
 - 19 c. Counsel are to prepare their exhibits for presentation at the trial by
20 placing them in 3-hole notebooks which are tabbed down the side
21 with the exhibit numbers. These notebooks are to be prepared in an
22 original for the Courtroom Deputy Clerk and two copies. The
23 originals shall each be tagged with the appropriate exhibit tags in the
24 upper or lower right-hand corner of the first page of each exhibit.
25 Each notebook shall contain a list of each exhibit included. Counsel
26 shall supply three extra copies of their individual or joint exhibit list
27 and witness list to the Courtroom Deputy Clerk at the trial. The exhibits are to be
28 numbered in accordance with Local Rule 16-6.

