

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

-cv-

ORDER FOR COURT TRIAL

Plaintiff(s),
vs.
Defendant(s).

1. Cut-Off Date for Discovery:
2. Cut-Off Date for Filing Motions to Join Parties or Amend Pleadings:
3. Cut-Off Date for Filing Motions:
4. Expert Witness Exchange Deadlines: Initial _____; Supplemental _____.
5. Trial Date: _____ at 8:00 a.m.

SCHEDULING:

1. In General. The Court has established a cut-off date to join parties or amend pleadings. All motions to join other parties or to amend the pleadings shall be filed and served on, or prior to, the cut-off date. All motions to join other parties or to amend the pleadings shall be noticed for hearing. All unserved parties are subject to dismissal at the time of the Pre-Trial Order is signed.

2. Discovery Cut-Off. The Court has established a cut-off date for discovery in this action. All discovery is to be completed on, or prior to, the cut-off date. Accordingly, the following discovery schedule shall apply to this Court.

A. Depositions. All depositions shall be scheduled to commence at least five (5) working days prior to the discovery cut-off date. All original depositions to be used in trial shall be lodged with the Courtroom Deputy on the day of trial.

1 B. Discovery Motions. Any motion respecting the inadequacy of responses
2 to discovery must have been heard by the discovery cut-off date.
3 Counsel are expected to strictly comply with all local rules and the Federal Rules of
4 Civil Procedure concerning discovery. Whenever possible, the Court expects counsel
5 to resolve discovery problems among themselves in a courteous, reasonable, and
6 professional manner. The Court expects that counsel will strictly adhere to the
7 Civility and Professional Guidelines adopted by the United States District Court for
8 the Central District of California in July of 1995.

9 LAW AND MOTION:

10 1. The Court has ordered the above cut-off date for the filing of motions in
11 this action. All motions must be noticed in compliance with this Court's webpage.

12 2. If oral argument is not required, counsel will be advised the week before
13 the hearing date. If oral argument is to be heard, the Court will make every effort to
14 serve by fax a tentative ruling or an outline of issues on which argument should
15 concentrate in advance of the hearing date. Please include your fax number on all
16 pleadings.

17 3. All documents are to comply with the Local Rule 11-3.1 and shall be
18 prepared in 14-point font or larger or monospaced typeface with no more than 10 ½
19 characters per inch. Counsel are also directed to adhere to Local Rule 11-3.6,
20 requiring that all documents be double spaced, and Local Rule 11-8, requiring that all
21 briefs that exceed 10 pages in length must have a table of contents and table of
22 authorities.

23 PRE-TRIAL FILINGS:

24 Counsel should discuss streamlining the trial, including presentation of
25 testimony by deposition excerpts or summaries, time limits, stipulations as to
26 undisputed facts, and qualification of experts by admitted resumes.

27 Memoranda of Contentions of Fact and Law, Witness Lists, and Exhibit Lists
28 are to be filed seven (7) days before the trial in conformance with Local Rule 16, et

1 seq.

2 SETTLEMENT PROCEDURES:

3 A settlement procedure is required in every case pursuant to Local Rule 16-14,
4 et seq. The Court will normally be guided by counsel's agreement as to what
5 procedure is appropriate for this case and when the optimum time for that procedure
6 is. Counsel are responsible for seeing that the settlement procedures are conducted
7 well before the date set for trial. Not to the exclusion of other procedures, the
8 following are available:

- 9 (1) a settlement conference before the district judge or
10 magistrate judge assigned to the case; however, the
11 undersigned shall not participate in settlement of a
12 case to be tried without a jury;
13 (2) a settlement conference or mediation before
14 an attorney selected from the Attorney
15 Settlement Panel;
16 (3) the employment (at the parties' expense) of a
17 private judge, a mediator, or arbitrator.

16 TRIAL PREPARATION FOR COURT TRIAL:

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

19 1. MOTIONS IN LIMINE

20 All motions in limine must be filed no later than twenty-one (21) days
21 before the trial date. There is no need to provide the Court with proposed Orders on
22 the Motions in Limine. **Failure to file motions in limine on time may result in a
23 continuance of the trial date.**

24 2. TRIAL EXHIBITS

25 Counsel are to prepare their exhibits for presentation at the trial by
26 placing them in three-ring binders which are tabbed down the side with the exhibit
27 numbers. An original and one copy of the exhibit notebooks are to be provided to the
28 Courtroom Clerk on the first day of trial. The originals shall each be tagged with the

1 appropriate exhibit tags in the upper or lower right-hand corner of the first page of each
2 exhibit. Each notebook shall contain a list of each exhibit included. Counsel shall
3 supply three extra copies of their individual or joint exhibit list and witness list to the
4 Clerk at the start of the trial. The exhibits are to be numbered in accordance with
5 Local Rule 16.5. If a daily transcript and/or real time reporting will be requested or
6 is contemplated, the reporter is to be notified at least one week in advance of the trial
7 date.

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

12 3. FINDINGS OF FACT:

13 Fourteen (14) calendar days before the trial date, each party is to have prepared
14 proposed Findings of Fact and Conclusions of Law. Copies of these proposed
15 Findings and Conclusions shall be served on opposing counsel. Each party shall
16 review the other party's proposed Findings and Conclusions and make such changes
17 in their own proposed Findings and Conclusions as are deemed necessary following
18 such review.

19 Seven (7) calendar days before the trial date, each party shall lodge two copies
20 of proposed Findings of Fact and Conclusions of Law with the Court, also serving
21 other parties if changes have been made.

22 The parties shall be prepared to submit to the Court, and to exchange among
23 themselves, supplemental findings of fact and conclusions of law during the course
24 of the trial.

25 4. TRIAL:

26 Trial days are Tuesday through Friday from 8:00 a.m. to 1:30 p.m. with two
27 fifteen-minute breaks, normally at 10:00 a.m. and 12:00 p.m.

28 The Clerk is ordered to serve a copy of this Order on counsel for all parties to

1 this action

2 DATED this _____ day of _____ 2008.

3

4

5

6 FLORENCE-MARIE COOPER, JUDGE
7 UNITED STATES DISTRICT COURT

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

) CV FMC(x)

Plaintiff(s),
vs.
Defendant(s).

WITNESS LIST

SAMPLE FORMAT

WITNESSES FOR PLAINTIFF	DATES OF TESTIMONY
	(to be filled in during trial)
WITNESSES FOR DEFENDANT	

