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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

)	CASE NO. CV
)	
Plaintiff(s),)	<u>ORDER FOR COURT TRIAL:</u>
vs.)	Re: Preparation for COURT TRIAL:
)	Findings of Fact & Exhibits
Defendant(s).)	[COURT TRIAL _____, 2004 AT 9:00
_____)	A.M.]

Unless otherwise ordered by the Court, the following rules shall apply:

SCHEDULING

1. In General

All motions to join other parties or to amend the pleadings shall be filed and served within thirty (30) days of the date of this order.

2. Motions for Summary Judgment or Partial Summary Judgment

No motions for Summary Judgment or Partial Summary Judgment may be filed later than fifteen (15) days after the discovery cut-off date.

3. Discovery Cut-Off

The Court has set 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.

1 Professional Guidelines adopted by the United States District Court for the Central District of
2 California in July of 1995.

3 **f. Disclosure of Expert Testimony**

4 Pursuant to Fed.R.Civ.P. 26(a)(2)(c), a party shall make all disclosures required at the
5 time and in the sequence directed by the Court. On the absence of other directions from the
6 Court or stipulation by the parties, the disclosures shall be made at least 90 days before the trial
7 date or the date the case is to be ready for trial, or, if the evidence is intended solely to contradict
8 or rebut evidence on the same subject matter identified by another party under paragraph (2)(B),
9 within 30 days after the disclosure made by the other party. The parties shall supplement these
10 disclosures when required under subdivision (e)(1).

11
12 **FINAL PRE-TRIAL CONFERENCE**

13
14 This case has been placed on calendar for a Final Pre-Trial Conference pursuant to
15 Fed.R.Civ.P. 16. Unless excused for good cause, each party appearing in this action shall be
16 represented at the Final Pre-Trial Conference, and all pre-trial meetings of counsel, by the
17 attorney who is to have charge of the trial on behalf of such party.

18 **STRICT COMPLIANCE WITH THE REQUIREMENT OF FED.R.CIV.P. 26 AND**
19 **LOCAL RULES ARE REQUIRED BY THE COURT.** Therefore, carefully prepared
20 Memoranda of Contentions of Fact and Law, a Joint Witness List, and a Joint Exhibit List shall
21 be submitted to the Court by each party. The Joint Witness List shall contain a brief statement of
22 testimony for each witness, and the time estimate for such testimony. The Joint Exhibit List shall
23 contain any objections to authenticity and/or admissibility to the exhibit(s). If there are any such
24 objections, the reason for the objection shall be briefly stated.

25 The Memoranda of Contentions of Fact and Law, Witness Lists and Exhibit Lists are due
26 twenty-one (21) days before the Final Pre-Trial Conference.

1 If expert witnesses are to be called at trial, each party shall list and identify their
2 respective expert witnesses. Failure of a party to list and identify an expert witness shall
3 preclude a party from calling an expert witness at trial. If expert witnesses are to be called at
4 trial, the parties shall exchange at the Final Pre-Trial Conference short narrative statements of the
5 qualifications of the expert and the testimony expected to be elicited at trial. If reports of experts
6 to be called at trial have been prepared, they shall be exchanged at the Final Pre-Trial
7 Conference, but shall not substitute for the narrative statements required.

8
9 **TRIAL PREPARATION FOR COURT TRIAL**
10 **MOTIONS, FINDINGS OF FACT AND EXHIBITS**

11
12 THE COURT ORDERS that all counsel comply with the following in their preparation
13 for trial:

14 **1. Motions in Limine**

15 All motions in limine must be filed and served a minimum of forty-five (45) days prior to
16 the scheduled trial date. Each motion should be separately filed and numbered. All opposition
17 documents must be filed and served at least twenty-five (25) days prior to the scheduled trial
18 date. All reply documents must be filed and served at least ten (10) days prior to the scheduled
19 trial date.

20 All motions in limine will be ruled upon the scheduled trial date.

21 **2. Findings of Fact and Conclusion of Law**

22 Twenty-one (21) days before the trial date, all counsel are to have prepared proposed
23 findings of fact and conclusions of law. Three copies are to be served on opposing counsel, and
24 the original and one copy are to be lodged with the Court.

25 Upon receiving these proposed findings of fact and conclusions of law from opposing
26 counsel, each party shall:

- 1 (1) Underline with red pencil those portions which it disputes;
- 2 (2) Underline with blue pencil those portions which it admits; and
- 3 (3) Underline in yellow pencil those portions which it does not dispute, but deems
- 4 irrelevant.

5 In this connection, counsel are to note that they need not come to a uniform conclusion as to an
6 entire proposed finding, or, indeed an entire sentence within a proposed finding. They may agree
7 with part of it, disagree with part of it, and/or consider a portion of it irrelevant.

8 Seven (7) days before the trial date, each counsel shall file two marked copies of
9 opposing counsel's proposed findings of fact and conclusions of law with the Court, and return
10 one marked copy to the opposing counsel.

11 The parties shall be prepared to submit to the Court, and to exchange among themselves,
12 supplemental findings of fact and conclusions of law during the course of the trial, with respect
13 to which the same underlining procedure may be ordered.

14 **3. Trial Exhibits**

15 Counsel are to prepare their exhibits for presentation at the trial by placing them in
16 binders which are indexed by exhibit number with tabs or dividers on the right side. Counsel
17 shall submit to the Court an original and one copy of the binders. The exhibits shall be in a
18 three-ring binder labeled on the spine portion of the binder as to the volume number and contain
19 an index of each exhibit included in the volume. Exhibits must be numbered in accordance with
20 Fed.R.Civ.P. 16 and 26 and the Local Rules.

21 The Court requires that the following be submitted to the Courtroom Deputy Clerk on the
22 first day of trial:

- 23 • The original exhibits with the Court's exhibit tags, yellow tags for plaintiff and
24 blue tags for defendant shall be stapled to the front of the exhibit on the upper
25 right-hand corner with the case number, case name, and exhibit number placed on
26 each tag.

- 1 • One bench book with a copy of each exhibit for use by the Court, tabbed with
2 numbers as described above (Court's exhibit tags not necessary).
- 3 • Three (3) copies of exhibit lists.
- 4 • Three (3) copies of witness lists in the order in which the witness may be called to
5 testify.

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

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

12
13 DATED:

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15 _____
16 R. Gary Klausner, Judge
17 UNITED STATES DISTRICT COURT
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