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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

,
Plaintiff(s),
v.
,
Defendant(s).

Case No. CV-_____-MCS (___x)

**FINAL PRE-TRIAL CONFERENCE
ORDER**

Trial Date:

Final Pre-Trial Conference:

Judge: Hon. Mark C. Scarsi

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1 Following pre-trial proceedings, pursuant to Federal Rule of Civil Procedure
2 16 and Local Rule 16, IT IS ORDERED:

3 **1. THE PARTIES AND PLEADINGS**

4 Plaintiff's second cause of action for breach of fiduciary duty has been
5 dismissed.

6
7 **2. JURISDICTION**

8 It is stipulated that subject matter jurisdiction over this action exists under 28
9 U.S.C. § ____, and venue is proper in this District and this Division pursuant to 28
10 U.S.C. § ____.

11 **3. TRIAL DURATION**

12 The trial is estimated to take ____.

13
14 **4. JURY TRIAL**

15 The trial is to be a jury trial.
16 Plaintiff and Defendant shall serve and file "Agreed Upon Set of Jury
17 Instructions and Verdict Forms" as well as the "Joint Statement re Disputed
18 Instructions, Verdicts, etc." by no later than ____.

19 **5. ADMITTED FACTS**

20 The following facts are admitted and require no proof:

21
22 **6. STIPULATED FACTS**

23 The following facts, though stipulated, shall be without prejudice to any
24 evidentiary objection:

1 **7. PARTIES' CLAIMS AND DEFENSES**

2 **Plaintiff's Claims:**

3 (a) Plaintiff plans to pursue the following claims against Defendant:

4 **Claim 1:**

5 **Claim 2:**

6 (b) The elements required to establish Plaintiff's claims are:

7 **Claim 1:**

8 **Claim 2:**

9 (c) The Key Evidence Plaintiff Relies on for Each Claim

10 **Claim 1:**

11 **Claim 2:**

12 **Defendant's Affirmative Defenses:**

13 (a) Defendant plans to pursue the following affirmative defenses:

14 **Defense 1:**

15 **Defense 2:**

16 (b) The elements required to establish Defendant's affirmative defenses are:

17 **Defense 1:**

18 **Defense 2:**

19 **8. REMAINING TRIABLE ISSUES**

20 In view of the admitted facts and the elements required to establish the claims
21 and affirmative defenses, the following issues remain to be tried:
22

23 **9. DISCOVERY**

24 All discovery is complete.
25

1 **10. DISCLOSURES AND EXHIBIT LIST**

2 All disclosures under Fed. R. Civ. P. 26(a)(3) have been made.

3 The joint exhibit list of the parties has been filed under separate cover as
4 required by L.R. 16-6.1 (“Joint Exhibit List”). In view of the volume of exhibits
5 marked by each party, the parties have incorporated in the attached “Joint Exhibit
6 List” all agreements regarding admitted exhibits, and all objections, including the
7 grounds therefor.

8 **11. WITNESS LISTS**

9 Witness lists of the parties shall be filed with the Court not later than ____.

10 Only the witnesses identified on the lists will be permitted to testify (other
11 than solely for impeachment).

12 **12. MOTIONS IN LIMINE**

13 Motions *in Limine* or law and motion matters shall be filed with the Court not
14 later than _____. The parties have met and conferred on the motions *in limine*. The
15 following motions *in limine*, and no others, are pending or contemplated:
16

17 **13. BIFURCATION**

18 Bifurcation of the following issues for trial is ordered.

19 **14. ADMISSIONS**

20 The foregoing admissions having been made by the parties, and the parties
21 having specified the foregoing issues remaining to be litigated, this Final Pre-Trial
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