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

	)	CASE NO. CV	-PSG ( x)
Plaintiff(s),	)	<b>ORDER FOR COURT TRIAL</b>	
vs.	)	Pretrial Conference:	
	)	** at 2:30 p.m.	
Defendant(s).	)	Trial Date:	
_____	)	** 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 by the cut-off date specified in the Scheduling Order.

**2. Motions for Summary Judgment or Partial Summary Judgment**

Motions for summary judgment or partial summary judgment shall be filed as soon as practical, however, in no event later than the motion cut-off date.



1 **cut-off date to permit the responses to be obtained before that date, if the**  
2 **motion is granted.**

3 Consistent resort to the Court for guidance in discovery is unnecessary and  
4 will result in the appointment of a Special Master at the joint expense of the parties  
5 to resolve discovery disputes.

6 **4. Mandatory Settlement Conference**

7 Pursuant to Local Rule 16-15, the parties in every case must select a  
8 settlement procedure. The final meeting with the parties' settlement officer must  
9 take place no later than 45 days before the Final Pretrial Conference.

10  
11 **FINAL PRE-TRIAL CONFERENCE ("PTC")**

12  
13 This case has been placed on calendar for a Final Pre-Trial Conference  
14 pursuant to Fed. R. Civ. P. 16 and 26. Unless excused for good cause, each party  
15 appearing in this action shall be represented at the Final Pre-Trial Conference, and  
16 all pre-trial meetings of counsel, by the attorney who is to have charge of the  
17 conduct of the trial on behalf of such party.

18 **STRICT COMPLIANCE WITH THE REQUIREMENT OF**  
19 **FED. R. CIV. P. 26 AND LOCAL RULES ARE REQUIRED BY THE COURT.**

20 Therefore, carefully prepared Memoranda of Contentions of Fact and Law, a Joint  
21 Witness List, and Joint Exhibit List shall be submitted to the Court. The Joint  
22 Witness List shall contain a brief statement of the testimony for each witness, **what**  
23 **makes the testimony unique** from any other witness testimony, and the time  
24 estimate for such testimony. The Joint Exhibit List shall contain any objections to  
25 authenticity and/or admissibility to the exhibit(s) and the reasons for the objections.  
26 The Memoranda of Contentions of Fact and Law, Witness List, and Exhibit List are  
27 due twenty-one (21) days before the Final Pre-Trial Conference.

1  
2 **FINAL PRETRIAL CONFERENCE ORDER (“PTCO”)**  
3

4 The proposed PTCO shall be lodged seven calendar days before the PTC.  
5 Adherence to this time requirement is necessary for in-chambers preparation of the  
6 matter. The form of the proposed PTCO shall comply with Appendix A to the  
7 Local Rules and the following:

8 1. Place in “all caps” and in "bold" the separately numbered headings  
9 for each category in the PTCO (*e.g.*, “**1. THE PARTIES**” or “**7. CLAIMS AND**  
10 **DEFENSES OF THE PARTIES**”).

11 2. Include a table of contents at the beginning.

12 3. In specifying the surviving pleadings under section 1, state which  
13 claims or counterclaims have been dismissed or abandoned, *e.g.*, “Plaintiff’s second  
14 cause of action for breach of fiduciary duty has been dismissed.” Also, in multiple  
15 party cases where not all claims or counterclaims will be prosecuted against all  
16 remaining parties on the opposing side, please specify to which party each claim or  
17 counterclaim is directed.

18 4. In specifying the parties’ claims and defenses under section 7, each  
19 party shall closely follow the examples set forth in Appendix A of the Local Rules.

20 5. In drafting the PTCO, the court also expects that the parties will  
21 attempt to agree on and set forth as many non-contested facts as possible. The court  
22 will usually read the uncontested facts to the jury at the start of trial. A carefully  
23 drafted and comprehensively stated stipulation of facts will reduce the length of  
24 trial and increase jury understanding of the case.

25 6. In drafting the factual issues in dispute for the PTCO, the parties  
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27  
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1 should attempt to state issues in ultimate fact form, not in the form of evidentiary  
2 fact issues. The issues of fact should track the elements of a claim or defense on  
3 which the jury will be required to make findings.

4 7. Issues of law should state legal issues on which the court will be  
5 required to rule during the trial and should not list ultimate fact issues to be  
6 submitted to the trier of fact.

7  
8 **TRIAL PREPARATION FOR COURT TRIAL -**  
9 **MOTIONS, FINDINGS OF FACT AND EXHIBITS**

10  
11 **1. Motions in Limine**

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

17 All motions *in limine* will be ruled upon on or before the scheduled trial date.

18  
19 **2. Findings of Fact and Conclusion of Law**

20 For a non-jury trial, the parties shall lodge their proposed findings of fact and  
21 conclusions of law not later than seven (7) days before trial. The parties shall  
22 deliver to chambers a copy of these findings on CD or USB storage drive in Word  
23 and WordPerfect format. Refer to Local Rule 52-1.

24  
25  
26 **3. Narrative Statements**

1 The judge may order that the direct testimony of a witness be presented by  
2 written narrative statement subject to the witness's cross-examination at the trial.  
3 Such written, direct testimony shall be adopted by the witness orally in open court,  
4 unless such requirement is waived. Refer to Local Rule 43-1.

5 **4. Trial Exhibits**

6 Counsel are to prepare their exhibits for presentation at the trial by placing  
7 them in binders which are indexed by exhibit number with tabs or dividers on the  
8 right side. Counsel shall submit to the Court an original and one copy of the binders.  
9 The exhibits shall be in a three-ring binder labeled on the spine portion of the binder  
10 as to the volume number and contain an index of each exhibit included in the  
11 volume. Exhibits must be numbered in accordance with Fed. R. Civ. P.  
12 16, 26 and the Local Rules.

13 Exhibit list shall indicate which exhibits are objected to, the reason for the  
14 objection, and the reason it is admissible. Failure to object will result in a waiver of  
15 objection.

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

- 18 • The original exhibits with the Court's exhibit tags shall be stapled to the  
19 front of the exhibit on the upper right-hand corner with the case  
20 number, case name, and exhibit number placed on each tag. Exhibit tags  
21 may be printed using G-14A and G14-B forms on the Court's website.
- 22 • One bench book with a copy of each exhibit for use by the Court,  
23 tabbed with numbers as described above. (Court's exhibit tags not  
24 necessary.)
- 25 • Three (3) copies of exhibit lists.
- 26 • Three (3) copies of witness lists in the order in which the witness may  
27 be called to testify.

- All counsel are to meet not later than ten (10) days before trial and to stipulate so far as is possible as to foundation, waiver of the best evidence rule, and to those exhibits which may be received into evidence at the start of trial. The exhibits to be so received will be noted on the copies of the exhibit lists.
- Any items that have not been admitted into evidence and are left in the courtroom overnight without prior approval will be discarded.

DATED: \_\_\_\_\_



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PHILIP S. GUTIERREZ  
UNITED STATES DISTRICT JUDGE

rev. 8/19