UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

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| **[PLAINTIFF’S NAME]**,  Plaintiff,  v.  **[DEFENDANT’S NAME]**,  Defendant. | Case No.: [NUMBER]  **[PROPOSED] FINAL PRETRIAL CONFERENCE ORDER** |
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Following pre-trial proceedings, pursuant to Federal Rule of Civil Procedure 16 and Local Rule 16, IT IS ORDERED:

### THE PARTIES AND PLEADINGS

*Example:* Plaintiff’s second cause of action for breach of fiduciary duty has been dismissed.

### JURISDICTION

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

### TRIAL DURATION

The trial is estimated to take \_\_\_.

### JURY TRIAL

The trial is to be a jury trial.

Plaintiff and Defendant shall serve and file “Agreed Upon Set of Jury Instructions and Verdict Forms” as well as the “Joint Statement re: Disputed Instructions, Verdicts, etc.” by no later than \_\_\_.

### *OR* BENCH TRIAL

The trial is to be a bench trial.

Plaintiff and Defendant shall file “Proposed Findings of Fact and Conclusions of Law” as well as “Declarations of Direct Testimony,” if ordered, by no later than \_\_\_.

### ADMITTED FACTS

The following facts are admitted and require no proof:

### STIPULATED FACTS

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

### PARTIES’ CLAIMS AND DEFENSES

**Plaintiff’s Claims:**

1. **Plaintiff plans to pursue the following claims against Defendant:**

* Claim 1:
* Claim 2:

1. **The elements required to establish Plaintiff’s claims are:**

* Claim 1:
* Claim 2:

1. **Key Evidence Plaintiff Relies on for Each Claim**

* Claim 1:
* Claim 2:

**Defendant’s Affirmative Defenses:**

1. **Defendant plans to pursue the following affirmative defenses:**

* Defense 1:
* Defense 2:

1. **The elements required to establish Defendant’s affirmative defenses are:**

* Defense 1:
* Defense 2:

### REMAINING TRIABLE ISSUES

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

### DISCOVERY

All discovery is complete.

### DISCLOSURES AND EXHIBIT LIST

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

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

### WITNESS LISTS

The witness lists of the parties have been filed under separate cover as required by L.R. 16-5 (“Witness List”).

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

### MOTIONS IN LIMINE

The parties have met and conferred on the motions *in limine*. Motions *in limine* have been filed with the Court, and have been ruled upon as follows:

No other motions *in limine* are pending or contemplated.

### OTHER PRETRIAL MOTIONS

The parties have met and conferred on all potential motions other than motions *in limine*. The following motions, and no others, are pending or contemplated:

### BIFURCATION

Bifurcation of the following issues for trial is ordered:

### ADMISSIONS

The foregoing admissions having been made by the parties, and the parties having specified the foregoing issues remaining to be litigated, this Final Pre-Trial Order shall supersede the pleadings, and govern the course of the trial of this cause, unless modified to prevent manifest injustice.

IT IS SO ORDERED.

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| Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  | SUNSHINE S. SYKES |
|  | United States District Judge |