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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

,) Case No.: CV -AB (x)
Plaintiff(s),)
vs.) **ORDER RE JURY TRIAL**
) **I. DEADLINES**
) **II. TRIAL PREPARATION**
,) **III. CONDUCT OF**
Defendant(s).) **ATTORNEYS AND**
) **PARTIES**
) **Trial:**
) **Time: 8:30 a.m.**
)

I. DEADINES

Last Day to Add Parties/Amend Pleadings	
Non-expert Discovery Cut-off	
Expert Disclosure (Initial)	
Expert Disclosure (Rebuttal)	
Expert Discovery Cut-off	
Last Day to Hear Motions	
Last Day to Conduct ADR Proceeding	
File Memorandum of Contentions of Fact and Law, Exhibit and Witness Lists, Status Report regarding settlement, and all Motions in Limine	
Lodge Pretrial Conference Order, file agreed set of Jury Instructions and Verdict forms, file statement regarding Disputed Instructions and Verdict Forms, and file oppositions to Motions in Limine	
Final Pretrial Conference and Hearing on Motions in Limine	_____, at 11:00 a.m.
Trial Date (Est. _____ Days)	_____, at 8:30 a.m.

1 **A. Parties/Pleadings**

2 The Court has established a cut-off date for adding parties or amending
3 pleadings. All motions to add parties or to amend the pleadings must be noticed to
4 be *heard* on or before the cut-off date. All unserved parties will be dismissed at
5 the time of the pretrial conference pursuant to Local Rule 16-8.1.

6 **B. Discovery and Discovery Cut-Off**

7 1. Discovery Cut-off: The Court has established a cut-off date for
8 discovery, including expert discovery, if applicable. This is not the date by which
9 discovery requests must be served; it is the date by which all discovery, *including*
10 *all hearings on any related motions*, is to be completed.

11 2. Discovery Disputes: Counsel are expected to comply with the
12 Federal Rules of Civil Procedure and all Local Rules concerning discovery.
13 Whenever possible, the Court expects counsel to resolve discovery problems
14 among themselves in a courteous, reasonable and professional manner. The Court
15 expects that counsel will adhere strictly to the Civility and Professionalism
16 Guidelines (which can be found on the Court’s website under Attorney
17 Information, Attorney Admissions).

18 3. Discovery Motions: Any motion challenging the adequacy of
19 discovery responses must be filed, served, and calendared sufficiently in advance
20 of the discovery cut-off date to permit the responses to be obtained before that date
21 if the motion is granted.

22 4. Depositions: All depositions shall commence sufficiently in
23 advance of the discovery cut-off date to permit their completion and to permit the
24 deposing party enough time to bring any discovery motions concerning the
25 deposition before the cut-off date. Given the requirements to “meet and confer”
26 and to give notice, in most cases a planned motion to compel must be discussed
27 with opposing counsel at least six weeks before the cut-off.

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1 5. Written Discovery: All interrogatories, requests for production
2 of documents and requests for admissions must be served sufficiently in advance
3 of the discovery cut-off date to permit the discovering party enough time to
4 challenge (via motion practice) responses deemed to be deficient.

5 6. Expert Discovery: All disclosures must be made in writing.
6 The parties should begin expert discovery shortly after the initial designation of
7 experts. The final pretrial conference and trial dates will not be continued merely
8 because expert discovery is not completed. Failure to comply with these or any
9 other orders concerning expert discovery may result in the expert being excluded
10 as a witness.

11 **C. Law and Motion**

12 The Court has established a cut-off date for the *hearing* of motions. All
13 motions must be noticed so that the *hearing* takes place on or before the motion
14 cut-off date.

15 **The Court will allow only one motion for summary judgment per party**
16 **in this case, and will not entertain cross-motions.** Counsel shall meet and confer
17 prior to summary judgment to determine which party will be the moving party and
18 which will be the opposing party on summary judgment. To the extent it is
19 appropriate based on undisputed facts and controlling principles of law, the Court
20 will *sua sponte* enter summary judgment in favor of the non-moving party pursuant
21 to Rule 56(f). If any party believes this is one of the rare instances in which there
22 is good cause to allow more than one summary judgment motion (including a
23 cross-motion) or to increase page limits on the moving papers, the party shall seek
24 leave from the court by a noticed motion setting forth good cause.

25 Counsel must provide chambers with Mandatory Chambers' Copies of the
26 following:

27 1. Civil Matters: initial pleadings (complaints, counterclaims,
28 cross-claims), Joint Rule 16(b)/26(f) Reports, motion papers (motions, oppositions,

1 replies, non-oppositions, and any related documents), trial documents (joint
2 statement of the case, proposed voir dire questions, jury instructions, verdict form,
3 exhibit list, witness list, and any related disputes), ex parte applications for
4 temporary restraining orders, and presentation materials for patent cases.

5 2. Criminal Matters: motion papers (motions, oppositions, replies,
6 non-oppositions, and any related documents), plea agreement(s), and sentencing
7 position papers.

8 Counsel should consult the Court’s website at www.cacd.uscourts.gov,
9 Judges’ Procedures and Schedules, Hon. André Birotte Jr., for further information
10 regarding chambers’ copies and motion procedures.

11 **D. Settlement Procedures (ADR Proceedings)**

12 Pursuant to Local Rule 16-15, the parties in every case must select a
13 settlement procedure. The final meeting with the parties’ settlement officer must
14 take place no later than four weeks before the Final Pretrial Conference. Counsel
15 shall file a Joint Report regarding the outcome of settlement discussions, the
16 likelihood of possible further discussions and any help the Court may provide with
17 regard to settlement negotiations not later than seven (7) days after the settlement
18 conference.

19 If the parties desire to participate in an ADR procedure other than that
20 elected in the Rule 26(f) Scheduling Report and Order, they shall file a stipulation
21 with the Court. This request will not necessarily be granted.

22 No case will proceed to trial unless all parties, including the principals of all
23 corporate parties, have appeared personally at a settlement conference.

24 **E. Final Pretrial Conference/Proposed Pretrial Conference Order**

25 A final Pretrial Conference (PTC) date has been set pursuant to Rule 16 of
26 the Federal Rules of Civil Procedure and Local Rule 16-8. STRICT
27 COMPLIANCE WITH THE REQUIREMENT OF FED. R. CIV. P. 16, 26 AND
28 LOCAL RULES ARE REQUIRED BY THE COURT.

1 Unless excused for good cause, each party appearing in this action shall be
2 represented at the PTC by the lead trial counsel for that party. Counsel should be
3 prepared to discuss streamlining the trial, including presentation of testimony by
4 deposition excerpts or summaries, time limits, stipulations as to undisputed facts,
5 and qualification of experts by admitted resumes.

6 The proposed Pretrial Conference Order (PTCO) shall be lodged fourteen
7 (14) days before the PTC. Adherence to this time requirement is necessary for in-
8 chambers preparation of the matter. The form of the proposed PTCO shall comply
9 with Appendix A to the Local Rules and the following:

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

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

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

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

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

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

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

8 **The parties shall provide an electronic copy of the PTCO in Microsoft**
9 **Word format to the chambers' e-mail at: AB_Chambers@cacd.uscourts.gov.**

10 **II. TRIAL PREPARATION**

11 STRICT COMPLIANCE WITH LOCAL RULE 16 IS REQUIRED. This
12 Order sets forth some different and some additional requirements. Failure to
13 comply with these requirements may result in the Final Pretrial Conference being
14 taken off calendar or continued, or in other sanctions.

15 **A. Pretrial Documents**

16 All pretrial document copies shall be delivered to the Court “binder-ready”
17 (three-hole punched on the left side, without blue-backs, and stapled only in the top
18 left corner).

19 The filing schedule for pretrial documents is as follows:

20 1. At least 21 days before the Final Pretrial Conference:

- 21 ▪ Memorandum of Contentions of Fact and Law
- 22 ▪ Witness Lists
- 23 ▪ Joint Exhibit List
- 24 ▪ Motions *in limine*

25 2. At least 14 days before the Final Pretrial Conference:

- 26 ▪ Proposed Final Pretrial Conference Order
- 27 ▪ Proposed Jury Instructions
- 28 ▪ Proposed Verdict Forms

- 1 ▪ Statement of the Case
- 2 ▪ Proposed additional voir dire questions, if desired
- 3 ▪ Oppositions to motions *in limine*

4 3. At least 7 days before trial:

- 5 ▪ Trial briefs, if desired

6 In addition to the requirements of Local Rule 16, the witness lists must
7 include a brief description (one or two paragraphs) of the testimony, **what makes**
8 **the testimony unique** from any other witness testimony, and a time estimate for
9 both direct and cross-examination (separately stated). The Joint Exhibit List shall
10 contain any objections to authenticity and/or admissibility to the exhibit(s) and the
11 reasons for the objections.

12 **The parties shall provide electronic copies of the Memoranda of**
13 **Contentions of Fact and Law, Witness List, and Exhibit List in Microsoft**
14 **Word format to the chambers' e-mail at AB_Chambers@cacd.uscourts.gov.**

15 **B. Motions *In Limine***

16 All motions and oppositions are limited to ten (10) pages in length. All
17 motions *in limine* must be filed at least three weeks before the final pretrial
18 conference; oppositions must be filed at least two weeks before the final pretrial
19 conference; reply briefs will not be accepted. Counsel are to meet and confer with
20 opposing counsel to determine whether opposing counsel intend to introduce the
21 disputed evidence and to attempt to reach an agreement that would obviate the
22 motion. The Court will rule on motions *in limine* at the final pretrial conference.
23 Motions *in limine* should address specific issues (e.g., *not* “to exclude all
24 hearsay”). Motions *in limine* should not be disguised motions for summary
25 adjudication of issues.

26 **C. Jury Instructions, Statement of the Case, and Voir Dire**

27 Pursuant to Local Rule 16-2, lead trial counsel for each party are required to
28 meet and confer in person. The Court expects strict compliance with Local Rule

1 16-2. Fourteen days before the Local Rule 16-2 meeting, the parties shall
2 exchange their respective proposed jury instructions and special verdict forms.
3 Ten days prior to the Local Rule 16-2 meeting, each shall serve objections to the
4 other's instructions and verdict forms. Before or at the Rule 16-2 meeting, counsel
5 are ordered to meet and confer and attempt to come to agreement on the proposed
6 jury instructions and verdict forms.

7 Counsel shall file with the Court a JOINT set of jury instructions on which
8 there is agreement. All blanks in standard forms should be filled in. The Court
9 expects counsel to agree on the substantial majority of jury instructions,
10 particularly when pattern or model instructions provide a statement of applicable
11 law. If one party fails to comply with the provisions of this section, the other party
12 must file a unilateral set of jury instructions.

13 Each party shall also file its proposed jury instructions that are objected to
14 by any other party. Each disputed instruction must have attached a short statement
15 (one or two paragraphs), including points and authorities, in support of the
16 instruction and a brief statement, including points and authorities, in support of any
17 objections. If applicable, a proposed alternative instruction must be provided.

18 When the *Manual of Model Jury Instructions for the Ninth Circuit* provides
19 an applicable jury instruction, the parties should submit the most recent version,
20 modified and supplemented to fit the circumstances of this case. Where California
21 law applies, counsel should use the current edition of the *Judicial Council of*
22 *California Civil Jury Instructions* ("CACI"). If neither is applicable, counsel
23 should consult the current edition of O'Malley, et al., *Federal Jury Practice and*
24 *Instructions*. Each requested instruction shall (a) cite the authority or source of the
25 instruction, (b) be set forth in full, (c) be on a separate page, (d) be numbered, (e)
26 cover only one subject or principle of law, and (f) not repeat principles of law
27 contained in any other requested instruction. Counsel may submit alternatives to
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1 these instructions only if counsel has a reasoned argument that they do not properly
2 state the law or they are incomplete.

3 Counsel must provide an index of all instructions submitted, which must
4 include the following:

- 5 a. the number of the instruction;
- 6 b. the title of the instruction;
- 7 c. the source of the instruction and any relevant case citations; and
- 8 d. the page number of the instruction.

9 For example:

10 <u>Number</u>	<u>Title</u>	<u>Source</u>	<u>Page Number</u>
11 1	Trademark-Defined 12 (15.U.S.C. § 1127)	9th Cir. 8.5.1	1

13 During the trial and before argument, the Court will meet with counsel and
14 settle the instructions, and counsel will have an opportunity to make a further
15 record concerning their objections.

16 *At the time of filing the proposed final pretrial conference order*, counsel
17 should file a jointly prepared one- or two-page statement of the case to be read by
18 the Court to the prospective panel of jurors before commencement of voir dire.

19 The Court will conduct the voir dire. The Court provides a list of basic
20 questions, and may provide a list of additional questions to jurors before voir dire.
21 (This is not a questionnaire to be completed by jurors.) Counsel may, but are not
22 required to, file and submit (electronically to the chambers' e-mail and in paper
23 form) a list of proposed case-specific voir dire questions at the time they file the
24 proposed final pretrial conference order.

25 In most cases the Court will conduct its initial voir dire of 14 prospective
26 jurors who will be seated in the jury box. Generally the Court will select eight
27 jurors. Each side will have three peremptory challenges. If fourteen jurors are
28 seated in the box and all six peremptory challenges are exercised, the remaining

1 eight jurors will constitute the jury panel. If fewer than six peremptory challenges
2 are exercised, the eight jurors in the lowest numbered seats will be the jury. The
3 Court will not necessarily accept a stipulation to a challenge for cause. If one or
4 more challenges for cause are accepted, and all six peremptory challenges are
5 exercised, the Court may decide to proceed with six or seven jurors.

6 **Counsel must provide the proposed jury instructions and voir dire to**
7 **the chambers' e-mail at AB Chambers@cacd.uscourts.gov in Word format.**

8 **D. Trial Exhibits**

9 Exhibits must be placed in three-ring binders indexed by exhibit number
10 with tabs or dividers on the right side. Counsel shall submit to the Court an
11 original and one copy of the binders. The spine portion of the binder shall indicate
12 the volume number *and* contain an index of each exhibit included in the volume.

13 The Court requires that the following be submitted to the Courtroom Deputy
14 Clerk ("CRD") on the *first day of trial*:

15 a. The party's witness list in the order in which the witnesses may
16 be called to testify.

17 b. The joint exhibit list in the form specified in Local Rule 16-5
18 (Civil), which shall be sent in Word format to the chambers' e-mail no later than
19 noon on the Monday before trial.

20 c. All of the exhibits (except those to be used for impeachment
21 only), with official exhibit tags attached and bearing the same number shown on
22 the exhibit list. Exhibits shall be numbered 1, 2, 3, etc., NOT 1.1, 1.2, etc. The
23 defense exhibit numbers shall not duplicate plaintiff's numbers. If a "blow-up" is
24 an enlargement of an existing exhibit, it shall be designated with the number of the
25 original exhibit followed by an "A." These items (and the items listed in d and e
26 below) shall be provided on the first day of trial.

27 d. The binder of *original exhibits* with the Court's exhibit tags,
28 yellow tags for plaintiff and blue tags for defendant, stapled to the front of the

1 exhibit at the upper right-hand corner with the case number, case name, and exhibit
2 number placed on each tag.

3 e. A three-ring binder containing a copy of all exhibits that can be
4 reproduced, and a copy of the witness list. Each exhibit shall be tabbed with the
5 exhibit number for easy referral.

6 f. A three-ring binder containing a copy of all exhibits for use by
7 witnesses.

8 A copy of the exhibit list with all *admitted exhibits* will be given to the jury
9 during deliberations. Counsel shall review and approve the exhibit list with the
10 CRD before the list is given to the jury.

11 Where a significant number of exhibits will be admitted, the Court
12 encourages counsel, preferably by agreement, to consider ways in which testimony
13 about exhibits may be made intelligible to the jury while it is being presented.
14 Counsel should consider such devices as overhead projectors, jury notebooks for
15 admitted exhibits or enlargements of important exhibits. [The Court has an Elmo
16 and other equipment available for use during trial.] Information concerning
17 training on the use of electronic equipment is available. Details are posted on the
18 Court’s website. To make reservations for training, call 213-894-3061. The Court
19 does not permit exhibits to be “published” by passing them up and down the jury
20 box. Exhibits may be displayed briefly using the screens in the courtroom, unless
21 the process becomes too time-consuming.

22 All counsel are to meet not later than ten days before trial and to stipulate, so
23 far as is possible, to foundation, to waiver of the best evidence rule and to those
24 exhibits that may be received into evidence at the start of the trial. The exhibits to
25 be so received will be noted on the Court’s copy of the exhibit list.

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1 **E. Court Reporter**

2 Any party requesting special court reporter services for any hearing (i.e., real
3 time transmission, daily transcripts) shall notify the reporter at least 2 weeks before
4 the hearing date.

5 **F. Jury Trial**

6 On the first day of trial, court will commence at 8:30 a.m. and conclude at
7 approximately 4:30 p.m. with a one-hour lunch break. On the first day of trial,
8 *counsel must appear at 8:30 a.m.* to discuss preliminary matters with the Court.
9 After the first day of trial, trial days are Tuesday through Friday from 9:00 a.m. to
10 approximately 4:30 p.m. with two fifteen-minute breaks and a one-hour lunch
11 break.

12 On the first day of trial, the jury panel will be called when the Court is
13 satisfied that the matter is ready for trial. Jury selection usually takes only a few
14 hours. Counsel should be prepared to proceed with opening statements and
15 witness examination immediately after jury selection.

16 **III. CONDUCT OF ATTORNEYS AND PARTIES**

17 **A. Opening Statements, Examining Witnesses, and Summation**

18 Counsel must use the lectern. Counsel must not consume time by writing
19 out words, drawing charts or diagrams, etc. Counsel may prepare such materials in
20 advance. The Court will honor (and may establish) reasonable time estimates for
21 opening statements and closing arguments, examination of witnesses, etc.

22 **B. Objections to Questions**

23 Counsel must not use objections for the purpose of making a speech,
24 recapitulating testimony, or attempting to guide the witness.

25 When objecting, counsel must rise to state the objection and state only that
26 counsel objects and the legal ground of objection. If counsel wishes to argue an
27 objection further, counsel must ask for permission to do so.

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1 **C. General Decorum**

2 1. Counsel should not approach the CRD or the witness box
3 without specific permission and must return to the lectern when the purpose for
4 approaching has been accomplished.

5 2. Counsel should rise when addressing the Court, and when the
6 Court or the jury enters or leaves the courtroom, unless directed otherwise.

7 3. Counsel should address all remarks to the Court. Counsel are
8 not to address the CRD, the court reporter, persons in the audience, or opposing
9 counsel. If counsel wish to speak with opposing counsel, counsel must ask
10 permission to do so. Any request for the re-reading of questions or answers shall
11 be addressed to the Court. Requests may not be granted.

12 4. Counsel should not address or refer to witnesses or parties by
13 first names alone, with the exception of witnesses under 14 years old.

14 5. Counsel must not offer a stipulation unless counsel have
15 conferred with opposing counsel and have verified that the stipulation will be
16 acceptable.

17 6. While Court is in session, counsel must not leave counsel table
18 to confer with any person in the back of the courtroom unless permission has been
19 granted in advance.

20 7. Counsel shall not make facial expressions, nod, or shake their
21 heads, comment, or otherwise exhibit in any way any agreement, disagreement, or
22 other opinion or belief concerning the testimony of a witness. Counsel shall
23 admonish their clients and witnesses not to engage in such conduct.

24 8. Counsel should not talk to jurors at all, and should not talk to
25 co-counsel, opposing counsel, witnesses, or clients where the conversation can be
26 overheard by jurors. Each counsel should admonish counsel's own clients and
27 witnesses to avoid such conduct.

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1 9. Where a party has more than one lawyer, only one may conduct
2 the direct or cross-examination of a particular witness, or make objections as to
3 that witness.

4 **D. Promptness of Counsel and Witnesses**

5 1. Promptness is expected from counsel and witnesses. Once
6 counsel are engaged in trial, this trial is counsel's first priority. The Court will not
7 delay the trial or inconvenience jurors.

8 2. If a witness was on the stand at a recess or adjournment,
9 counsel who called the witness shall ensure the witness is back on the stand and
10 ready to proceed when trial resumes.

11 3. Counsel must notify the CRD in advance if any witness should
12 be accommodated based on a disability or for other reasons.

13 4. No presenting party may be without witnesses. If a party's
14 remaining witnesses are not immediately available and there is more than a brief
15 delay, the Court may deem that party to have rested.

16 5. The Court attempts to cooperate with professional witnesses
17 and will, except in extraordinary circumstances, accommodate them by permitting
18 them to be called out of sequence. Counsel must anticipate any such possibility
19 and discuss it with opposing counsel. If there is an objection, counsel must confer
20 with the Court in advance.

21 **E. Exhibits**

22 1. Each counsel should keep counsel's own list of exhibits and
23 should note when each has been admitted into evidence.

24 2. Each counsel is responsible for any exhibits that counsel
25 secures from the CRD and must return them before leaving the courtroom at the
26 end of the session.

27 3. An exhibit not previously marked should, at the time of its first
28 mention, be accompanied by a request that it be marked for identification. Counsel

1 must show a new exhibit to opposing counsel before the court session in which it is
2 mentioned.

3 4. Counsel are to advise the CRD of any agreements with respect
4 to the proposed exhibits and as to those exhibits that may be received without
5 further motion to admit.

6 5. When referring to an exhibit, counsel should refer to its exhibit
7 number. Witnesses should be asked to do the same.

8 6. Counsel must not ask witnesses to draw charts or diagrams nor
9 ask the Court's permission for a witness to do so. Any graphic aids must be fully
10 prepared before the court session starts.

11 **F. Depositions**

12 1. All depositions to be used at trial, either as evidence or for
13 impeachment, must be lodged with the CRD on the first day of trial or such earlier
14 date as the Court may order. Counsel should verify with the CRD that the relevant
15 deposition is in the CRD's possession.

16 2. In using depositions of an adverse party for impeachment,
17 either one of the following procedures may be adopted:

18 a. If counsel wishes to read the questions and answers as
19 alleged impeachment and ask the witness no further questions on that subject,
20 counsel shall first state the page and line where the reading begins and the page
21 and line where the reading ends, and allow time for any objection. Counsel may
22 then read the portions of the deposition into the record.

23 b. If counsel wishes to ask the witness further questions on
24 the subject matter, the deposition shall be placed in front of the witness and the
25 witness told to read the relevant pages and lines silently. Then counsel may either
26 ask the witness further questions on the matter and thereafter read the quotations,
27 or read the quotations and thereafter ask further questions. Counsel should have an
28 extra copy of the deposition for this purpose.

1 3. Where a witness is absent and the witness’s testimony is
2 offered by deposition, counsel may (a) have a reader occupy the witness chair and
3 read the testimony of the witness while the examining lawyer asks the questions, or
4 (b) have counsel read both the questions and answers.

5 **G. Using Numerous Answers to Interrogatories and Requests for**
6 **Admission**

7 Whenever counsel expects to offer a group of answers to interrogatories or
8 requests for admissions extracted from one or more lengthy documents, counsel
9 should prepare a new document listing each question and answer and identifying
10 the document from which it has been extracted. Copies of this new document
11 should be given to the Court and opposing counsel.

12 **H. Advance Notice of Unusual or Difficult Issues**

13 If any counsel have reason to anticipate that a difficult question of law or
14 evidence will necessitate legal argument requiring research or briefing, counsel
15 must give the Court advance notice. Counsel are directed to notify the CRD at the
16 day’s adjournment if an unexpected legal issue arises that could not have been
17 foreseen and addressed by a motion in limine. See Fed. R. Evid. 103. Counsel
18 must also advise the CRD at the end of each trial day of any issues that must be
19 addressed outside the presence of the jury, so that there is no interruption of the
20 trial. THE COURT WILL NOT KEEP JURORS WAITING.

21 **This Court does not exempt parties appearing *pro se* from compliance**
22 **with the Federal Rules of Civil Procedure or the Local Rules. (Local Rule 83-**
23 **2.2.3.)**

24 **IT IS SO ORDERED.**

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26 Dated:

27 ANDRÉ BIROTTE JR.
28 United States District Judge

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

,) Case No.: CV -AB (x)
Plaintiff(s),)
) **EXHIBIT LIST**
vs.)
) *Sample Format*
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Defendant(s).)
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EX. No.	Description	Identified	Admitted

