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

[PLAINTIFF'S NAME],
Plaintiff,
v.
[DEFENDANT'S NAME],
Defendant.

Case No. 0:00-cv-00000 AH

**[PROPOSED] FINAL PRETRIAL
CONFERENCE ORDER**

Trial Date:
Final Pretrial Conference:
Judge: Hon. Anne Hwang

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

3
4 **I. THE PARTIES AND PLEADINGS**

5 [E.g. Plaintiff's second cause of action for breach of fiduciary duty has been
6 dismissed.]

7
8 **II. JURISDICTION**

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

11
12 **III. TRIAL DURATION**

13 The trial is estimated to take ____.

14
15 **IV. JURY TRIAL**

16 The trial is to be a jury trial.

17 The parties' jury instructions and verdict forms have been previously filed under
18 separate cover as required by the Court's Scheduling Order. Attached as Exhibit A are
19 the parties' proposed jury instructions and verdict forms.

20
21 **V. ADMITTED FACTS**

22 The following facts are admitted and require no proof:

23
24 **VI. STIPULATED FACTS**

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

1 **VII. 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. 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
20 **VIII. REMAINING TRIABLE ISSUES**

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

23
24 **IX. DISCOVERY**

25 All discovery is complete.
26
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1 **X. 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 previously filed under separate cover
4 as 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 List”
6 all agreements regarding admitted exhibits, and all objections, including the grounds
7 therefor.

8
9 **XI. WITNESS LIST**

10 The parties’ joint witness list has been previously filed under separate cover as
11 required by the Court’s Scheduling Order. The following table incorporates those
12 witnesses that the parties intend to call at trial:

13 [insert table identifying witnesses]

14 Only the witnesses identified on the list will be permitted to testify (other than
15 solely for impeachment).

16
17 **XII. MOTIONS IN LIMINE**

18 The parties’ motions *in limine* have been previously filed under separate cover as
19 required by the Court’s Scheduling Order. The parties have met and conferred on these
20 initial motions. The following motions *in limine*, and no others, are still pending and at
21 issue:

22 [insert table identifying motions *in limine* that are still at issue]

23
24 **XIII. BIFURCATION**

25 Bifurcation of the following issues for trial is ordered.
26
27
28

1 **XIV. ADMISSIONS**

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

6
7 **IT IS SO ORDERED.**

8
9 DATED:

10 _____
11 HON. ANNE HWANG
12 UNITED STATES DISTRICT JUDGE

13 Approved as to form and content:

14
15 Dated: Counsel for Plaintiff

16
17 By: _____
18 Counsel for Plaintiff

19 Dated: Counsel for Defendant

20
21 By: _____
22 Counsel for Defendant