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

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

Case No. CV-_____-BRO (___x)

**FINAL PRE-TRIAL CONFERENCE
ORDER**

Trial Date:

Final Pre-Trial Conference:

Judge: Hon. Beverly Reid O'Connell

TABLE OF CONTENTS

1

2 **SECTION 1. THE PARTIES AND PLEADING** 4

3 **SECTION 2. JURISDICTION** 4

4 **SECTION 3. TRIAL DURATION** 4

5 **SECTION 4. JURY TRIAL** 4

6 **SECTION 5. ADMITTED FACTS** 4

7 **SECTION 6. STIPULATED FACTS** 4

8 **SECTION 7. PARTIES’ CLAIMS AND DEFENSES** 4

9 **Plaintiff:**

10 (a) Plaintiff plans to pursue the following claims against

11 Defendant..... 4

12 (b) The elements required to establish Plaintiff’s claims 5

13 (c) The Key Evidence Plaintiff Relies on for Each Claim..... 5

14 **Defendant’s Affirmative Defenses:**

15 (a) Defendant plans to pursue the following affirmative

16 defenses..... 5

17 (b) The elements required to establish Defendant’s affirmative

18 defenses..... 5

19 (c) In brief, the key evidence Defendant relies on for each affirmative

20 defense 5

21 **SECTION 8. REMAINING TRIABLE ISSUES** 5

22 **SECTION 9. DISCOVERY** 5

23 **SECTION 10. DISCLOSURES AND EXHIBIT LIST** 5

24 **SECTION 11. WITNESS LISTS**..... 6

25 **SECTION 12. MOTIONS *IN LIMINE***..... 6

26 **SECTION 13. BIFURCATION**..... 6

27 **SECTION 14. ADMISSIONS** 6

1 Following pre-trial proceedings, pursuant to F.R.C.P. 16 and L.R. 16, IT IS
2 ORDERED:

3 **1. THE PARTIES AND PLEADINGS**

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

6 **2. JURISDICTION**

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

10 **3. TRIAL DURATION**

11 The trial is estimated to take ____ hours.

12 **4. JURY TRIAL**

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

17 **5. ADMITTED FACTS**

18 The following facts are admitted and require no proof:

19 **6. STIPULATED FACTS**

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

22 **7. PARTIES’ CLAIMS AND DEFENSES**

23 **Plaintiff:**

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

25 **Claim 1:**

26 **Claim 2:**

27 (b) The elements required to establish Plaintiff’s claims are:

28 **Claim 1:**

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Claim 2:

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

Claim 1:

Claim 2:

Defendant’s Affirmative Defenses:

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

Defense 1:

Defense 2:

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

Defense 1:

Defense 2:

8. 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:

9. DISCOVERY

All discovery is complete.

10. DISCLOSURES AND EXHIBIT LIST

All disclosures 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.

11. WITNESS LISTS

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

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

1 **12. MOTIONS IN LIMINE**

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

5 **13. BIFURCATION**

6 Bifurcation of the following issues for trial is ordered.

7 **14. ADMISSIONS**

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

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1 DATED:

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HONORABLE BEVERLY REID O'CONNELL
UNITED STATES DISTRICT COURT JUDGE

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7

8 Approved as to form and content:

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10 Dated: _

Counsel for Plaintiff

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By: _____
Counsel for Plaintiff

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14 Dated:

Counsel for Defendant

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By: _____
Counsel for Defendant

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