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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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10	Armando Flores, et al.,)	
)	
11	Plaintiffs,)	No. CV-06-2675-PHX-PGR
)	
12	vs.)	
)	<u>FOURTH AMENDED SCHEDULING ORDER</u>
13	Metro Valley Painting)	
	Corporation, et al.,)	
14)	
	Defendants.)	
15	_____)	

16 IT IS ORDERED that the parties' Motion to Extend Discovery and
17 Other Deadlines (doc. #174) is granted as follows:

18 (1) All remaining discovery shall be completed by May 29,
19 2009, and supplemental disclosures and discovery responses shall
20 thereafter be made as required by Fed.R.Civ.P. 26(e). Discovery
21 which cannot be timely responded to prior to the discovery deadline
22 will be met with disfavor, and could result in denial of an
23 extension, exclusion of evidence, or the imposition of other
24 sanctions. Parties are directed to LRCiv 7.2(j), which prohibits
25 filing discovery-related motions unless the parties have first met
26 to resolve any discovery difficulties. If parties cannot reach a
27 resolution of discovery disputes arising during depositions, they

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1 are directed to arrange a conference call with the Court to resolve
2 the disputes.

3 (2) All dispositive motions shall be filed by June 29, 2009.

4 (3) A Joint Pretrial Statement shall be filed by July 21,
5 2009. If dispositive motions are filed, then this Joint Pretrial
6 Statement shall be due either on the above date or 30 days
7 following the resolution of the motions, whichever is later. The
8 content of the Joint Pretrial Statement shall include, but not be
9 limited to, that prescribed in a standard form of Joint Pretrial
10 Statement provided to the parties. The parties shall augment the
11 Joint Pretrial Statement as necessary so it contains all of the
12 pretrial disclosures as defined and required by Fed.R.Civ.P.
13 26(a)(3). It shall be the responsibility of the plaintiff to
14 timely initiate the process of drafting the Joint Pretrial
15 Statement and the plaintiff shall submit its draft of the Joint
16 Pretrial Statement to the defendant no later than ten business days
17 prior to the date for filing the Joint Pretrial Statement.

18 (4) Motions in limine shall be filed no later than the date of
19 filing of the Joint Pretrial Statement. Responses to motions in
20 limine are due ten business days after service. No replies are
21 permitted. The hearing on the motions in limine, if one is
22 permitted by the Court, will take place at the time of the Pretrial
23 Conference. No motion in limine shall be filed unless a statement
24 of moving counsel is attached thereto certifying that after
25 personal consultation and sincere efforts to do so, counsel have
26 been unable to satisfactorily resolve the matter.

27 (5) The **Pretrial Conference set for June 22, 2009 is vacated.**
28 The attorneys for each party who will be responsible for trial of
the lawsuit, or the parties if pro per, shall appear and

1 participate in a final **Pretrial Conference on Monday, August 24,**
2 **2009, at 11:00 a.m.** in Courtroom 601. Because Pretrial Conferences
3 are held for the parties' benefit, and further because the parties'
4 presence will facilitate frank discussion of the pertinent issues
5 in the lawsuit, each party or a representative with binding
6 settlement authority shall attend the Pretrial Conference. If
7 dispositive motions are filed, the Court will continue the date of
8 the Pretrial Conference, if one is still necessary, until after the
9 resolution of such motions and the filing of a Joint Pretrial
10 Statement.

11 (6) Unless otherwise ordered by the Court, the parties' trial
12 briefs, proposed findings of fact and conclusions of law or
13 proposed jury instructions and proposed voir dire questions shall
14 be filed no later than **September 2, 2009, by 11:00 a.m.**¹

15 (7) The trial date of July 14, 2009 is vacated. Unless
16 otherwise ordered by the Court, the trial of this action shall
17 commence on **Tuesday, September 22, 2009, at 9:00 a.m.** in Courtroom
18 601 of the Sandra Day O'Connor United States Courthouse in Phoenix,
19 AZ.

20 (8) **The parties are cautioned that the deadlines set in this**
21 **Amended Scheduling Order shall be enforced, and that the Court will**
22 **not entertain any stipulations to continue them - any request to**
23 **extend any of the deadlines set herein must be made by means of a**

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26 The trial brief shall raise all significant disputed issues
27 of law and fact, including foreseeable procedural and evidentiary
28 issues, and shall set forth the party's positions thereon with
supporting arguments and authorities.

A form with instructions regarding the marking, listing and
custody of exhibits, and a form with instructions regarding the
submission of jury instructions, shall be given to counsel at the
Pretrial Conference.

1 motion, joint or otherwise, and no such motion shall be granted
2 unless very good cause is shown.²

3 DATED this 10th day of February, 2009.
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8 Paul G. Rosenblatt
9 United States District Judge
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28 ² The parties are advised that the Court does not contemplate granting any further extension of the discovery and dispositive motion deadlines.