

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**WO**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Richard Brubaker, et al.,  
Plaintiffs,  
v.  
City of Tucson, et al.,  
Defendants.

No. CV-10-00649-TUC-DCB

**ORDER**

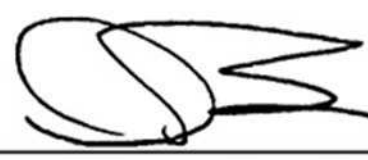
The Mandate having issued in this case on April 18, 2019,

**Accordingly,**

**IT IS ORDERED** that the stay is lifted and this case is returned to the Court's active docket.

**IT IS FURTHER ORDERED** that the parties shall file the Joint Proposed Pretrial Order by May 22, 2019. See Attached PTO.

Dated this 22nd day of April, 2019.



Honorable David C. Bury  
United States District Judge

1  
2  
3  
4 **FORM OF PRETRIAL ORDER**  
5 **IN THE UNITED STATES DISTRICT COURT**  
6  
7 **FOR THE DISTRICT OF ARIZONA**

8 )  
9 )  
10 Plaintiff, )  
11 v. ) CV TUC DCB  
12 )  
13 ) **JOINT PROPOSED PRETRIAL ORDER**  
14 Defendant. )  
15 )

16 (Although the text of the pretrial order appears in single space, the actual order submitted by  
17 the parties must be double spaced and conform in all other respects to the Local Rules.)

18 The following are pretrial proceedings in this cause as agreed to by the parties and  
19 approved by the Court:

20  
21 **I. NATURE OF ACTION**

22 This is an action for: (Short concise statement of the case, including the nature of the  
action and the relief sought.)

23 **II. STATEMENT OF JURISDICTION**

24 Statement of jurisdiction: (state the claims and cite the statutes which give this Court  
25 jurisdiction over each claim.)

26 **III. CONTESTED ISSUES OF LAW/FACT**

27 State the ultimate issues of fact and law which must be decided at trial. State only the  
28 issues of fact and law necessary and material for a verdict in this case. Each issue must be  
stated separately and specifically.

1 **IV. LIST OF EXHIBITS**

2 Each party shall list the exhibits it intends to offer at trial.

3 **V. LIST OF WITNESSES**

4 Each party shall list the witnesses it intends to call at trial.

5 **VI. JURY TRIAL or BENCH TRIAL**

6 The parties shall state whether the trial is a jury or bench trial.

7 **For a Jury Trial**

8 At the Pretrial Conference, the Court will direct the parties to file proposed voir dire,  
9 objections to exhibits, deposition testimony, stipulated jury instructions, stipulations,  
10 counsel's additional proposed jury instructions, motions in limine, and trial memoranda 20  
11 days prior to trial. Any opposition shall be filed five days thereafter.

12 **For a Bench Trial**

13 At the Pretrial Conference, the Court will direct the parties to file trial briefs,  
14 objections to exhibits, motions in limine, stipulations, and proposed findings of fact and  
15 conclusions of law 20 days prior to trial. Any opposition shall be filed five days thereafter.

16 **VII. PROBABLE LENGTH OF TRIAL**

17 Each party shall identify the estimated length of time it will take to present its case.

18 **VIII. CERTIFICATION**

19 **The undersigned counsel for each of the parties in this action do hereby approve  
20 and certify the form and content of this proposed Joint Pretrial Order.**

21 \_\_\_\_\_  
22 Attorney for Plaintiff

23 \_\_\_\_\_  
24 Attorney for Defendant