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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNIVERSAL CITY STUDIOS)
PRODUCTIONS, LLLP,)

CV 07-1114 FMC (JCx)

ORDER FOR JURY TRIAL

Plaintiff(s),

vs.

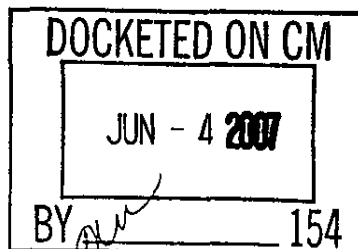
MARIO LAVANDIERA, dba PEREZ)
HILTON, et al.,)

Defendant(s).

1. Discovery Cut-Off Date:
January 31, 2008
2. Cut-Off Date for Joining Parties or
Amending Pleadings:
March 17, 2008
3. Cut-Off Date for Hearing Motions:
March 17, 2008
4. Expert Witness Exchange Deadline:
in accordance with the Rules
5. Final Pre-Trial Conference:
April 28, 2008, at 9:30 a.m.
6. Trial Date: May 27, 2008, at 9:00
a.m.

SCHEDULING:

1. In General. The Court has established a cut-off date for joining parties or amending pleadings. All motions to join other parties or to amend the pleadings shall be filed and served on, or prior to, the cut-off date. All motions to join other parties or to amend the pleadings shall be noticed for hearing. All unserved parties are subject to dismissal at the time of the Pre-Trial Conference pursuant to Local Rule 16-7.1.



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2. Discovery Cut-Off. The Court has established a cut-off date for discovery in this action. All discovery is to be completed on, or prior to, the cut-off date. Accordingly, the following discovery schedule shall apply to this Court.

/ / /

A. Depositions. All depositions shall be scheduled to commence at least five (5) working days prior to the discovery cut-off date. All original depositions to be used in trial shall be lodged with the Courtroom Deputy on the day of trial.

B. Discovery Motions. Any motion respecting the inadequacy of responses to discovery must have been heard by the discovery cut-off date. Counsel are expected to strictly comply with all local rules and the Federal Rules of Civil Procedure concerning discovery. Whenever possible, the Court expects counsel to resolve discovery problems among themselves in a courteous, reasonable, and professional manner. The Court expects that counsel will strictly adhere to the Civility and Professional Guidelines adopted by the United States District Court for the Central District of California in July of 1995.

LAW AND MOTION:

1. The Court has ordered the above cut-off date for the hearing of motions in this action. All motions must be noticed so that the hearing takes place on or before the motion cut-off date. Counsel is to provide chambers with conformed courtesy copies of any reply documents. Please do not put courtesy copies in envelopes.

2. If oral argument is not required, counsel will be advised the week before the hearing date. If oral argument is to be heard, the Court will make every effort to issue a tentative ruling or an outline of issues on which argument should concentrate in advance of the hearing date. Please include your fax number on all pleadings. Counsel should check the district court's website at

1 www.cacd.uscourts.gov under this Judge's profile to find any tentative rulings
2 posted on Thursday afternoon or Friday before the scheduled oral argument.

3
4 3. Counsel are to deliver courtesy copies of reply documents to the
5 Judge's office in the drop box located in the corridor by the chambers on the 7th
6 floor of the Roybal Federal Building.

7 4. All documents are to comply with Local Rule 11-3.1 and shall be
8 prepared in 14-point font or larger or monospaced typeface with no more than 10
9 ½ characters per inch. Counsel are also directed to adhere to Local Rule 11-3.6,
10 requiring that all documents be double spaced, and Local Rule 11-8, requiring that
11 all briefs that exceed 10 pages in length must have a table of contents and a table of
12 authorities.

13 FINAL PRE-TRIAL CONFERENCE:

14 This case has been placed on calendar for a Final Pre-Trial Conference
15 pursuant to Fed.R.Civ.P. 16 and Local Rule 16-7. Unless excused for good cause,
16 each party appearing in this action shall be represented at the Final Pre-Trial
17 Conference by the attorney who is to have charge of the conduct of the trial on
18 behalf of such party. Counsel should be prepared to discuss streamlining the trial,
19 including presentation of testimony by deposition excerpts or summaries, time
20 limits, stipulations as to undisputed facts, and qualification of experts by admitted
21 resumes.

22 STRICT COMPLIANCE WITH THE REQUIREMENT OF LOCAL RULE
23 16-1, et seq., IS REQUIRED BY THE COURT. Therefore, carefully prepared
24 Memoranda of Contentions of Fact and Law, Witness List, Exhibit List, and a
25 proposed Final Pre-Trial Conference Order shall be submitted in accordance with
26 the Rules, and the form of the proposed Final Pre-Trial Order shall be in conformity
27 with the format set forth in the Appendix A to the Local Rules.

28 The Memoranda of Contentions of Fact and Law are due twenty-one (21) days

before the Final Pre-Trial Conference, and the proposed Final Pre-Trial Conference Order is to be lodged seven (7) days before the Final Pre-Trial Conference.

SETTLEMENT PROCEDURES:

A settlement procedure is required in every case pursuant to Local Rule 16-14, et seq. The Court will normally be guided by counsel's agreement as to what procedure is appropriate for this case and when the optimum time for that procedure is. Counsel are responsible for seeing that the settlement procedures are conducted well before the Final Pre-Trial Conference. Not to the exclusion of other procedures, the following are available:

- (1) a settlement conference before the district judge or magistrate judge assigned to the case; however, the undersigned shall not participate in settlement of a case to be tried without a jury;
- (2) a settlement conference or mediation before an attorney selected from the Attorney Settlement Panel;
- (3) the employment (at the parties' expense) of a private judge, a mediator, or arbitrator.

TRIAL PREPARATION FOR JURY TRIAL - MOTIONS, INSTRUCTIONS AND EXHIBITS:

THE COURT ORDERS that all counsel comply with the following in their preparation for trial:

1. MOTIONS IN LIMINE

All motions in limine must be filed no later than twenty-one (21) days before the Final Pre-Trial Conference. There is no need to provide the Court with proposed Orders on the Motions in Limine. The Court will rule on all motions in limine at the Final Pre-Trial Conference. **Failure to file motions in limine on time may result in a continuance of the trial date.**

2. JURY INSTRUCTIONS/SPECIAL VERDICT FORMS

Thirty-five (35) days before trial, plaintiff shall serve plaintiff's

1 proposed jury instructions and special verdict forms on defendant. Twenty-eight
2 (28) days before trial, defendant shall serve on plaintiff defendant's objections to
3 plaintiff's instructions together with any additional instructions defendant intends
4 to offer. Twenty-one (21) days before trial, counsel are ordered to meet and confer
5 to attempt to come to agreement on the proposed jury instructions.

6 Fourteen (14) days before trial, counsel shall file with the Court a JOINT set
7 of jury instructions on which there is agreement.

8 Reference to the instructions in the *Manual of Model Jury Instructions for*
9 *the Ninth Circuit, the California Book of Approved Jury Instructions Civil, or the*
10 *Judicial Council of California Civil Jury Instructions (CACI), shall be by number*
11 *only. The Court requests only a list of those numbered instructions, which the*
12 *Court has accessible on its computer. Do not provide written copies of those*
13 *instructions.*

14 Defendant's counsel has the burden of preparing the joint set of jury
15 instructions. At the same time each party shall file its proposed jury instructions
16 which are objected to by any other party, accompanied by points and authorities in
17 support of those instructions and in support of any objections.

18 With respect to the parties' special instructions, each requested instruction
19 shall be set forth in full; be on a separate page; be numbered; cover only one subject
20 or principle of law; and not repeat principles of law contained in any other requested
21 instruction.

22 During the trial and before argument, the Court will meet with counsel and
23 settle the instructions. **Failure of counsel to strictly follow the provisions of this**
24 **section may subject the non-complying party and/or its attorney to sanctions**
25 **and shall constitute a waiver of jury trial.**

26 3. TRIAL EXHIBITS

27 Counsel are to prepare their exhibits for presentation at the trial by
28 placing them in binders which are indexed by exhibit number with tabs or dividers

1 on the right side. Counsel shall submit to the Court an original and one copy of the
2 binders. The exhibits shall be in a three-ring binder labeled on the spine portion of
3 the binder as to the volume number and contain an index of each exhibit included
4 in the volume. Exhibits must be numbered in accordance with Local Rule 16.5.

5 The Court requires that the following be submitted to the Courtroom Deputy
6 Clerk on the first day of trial:

7 a. The original exhibits with the Court's exhibit tags, yellow tags
8 for plaintiff and blue tags for defendant, shall be stapled to the front of the exhibit
9 on the upper right-hand corner with the case number, case name, and exhibit number
10 placed on each tag.

11 b. One bench book with a copy of each exhibit tabbed with numbers
12 as described above for use by the Court. (Court's exhibit tags not necessary.)

13 c. Three (3) copies of exhibit lists.

14 d. Three (3) copies of witness lists in the order in which the
15 witnesses may be called to testify.

16 e. If a daily transcript and/or real time reporting will be requested
17 or is contemplated, the reporter is to be notified at least one week in advance of the
18 trial date.

19 In jury cases where a significant number of exhibits are to be admitted, the
20 Court encourages counsel, preferably by agreement, to consider ways in which
21 testimony about exhibits may be made intelligible to the jury while it is being
22 presented. Counsel may consider such devices as overhead projectors, jury
23 notebooks for admitted exhibits, or blow-ups of important exhibits. The Central
24 District has Elmo equipment which may be available for your use during trial. Call
25 the Court's Space and Facilities Division at (213) 894-1400 to reserve audio visual
26 equipment. Do not plan to pass exhibits up and down the jury box while court is
27 in session.

28 All counsel are to meet not later than ten (10) days before trial and to

1 stipulate, so far as is possible, to foundation, waiver of the best evidence rule, and
2 to those exhibits which may be received into evidence at the start of the trial. The
3 exhibits to be so received will be noted on the extra copies of the exhibit lists.

4 4. MINI OPENING STATEMENTS

5 On the first day of the trial, one attorney for each side is to deliver a mini-
6 opening statement to the prospective jury panel, before jury selection begins. Each
7 statement is to be no more than five minutes in length.

8
9 JURY TRIAL:

10 After the initial day of trial, trial days are Tuesday through Friday from 8:00
11 a.m. to 1:30 p.m. with two fifteen-minute breaks, normally at 10:00 a.m. and 12:00
12 p.m. On the first day of trial, the Court will commence at 9:00 a.m. and conclude
13 at 4:00 p.m. with the standard lunch break.

14 The Clerk is ordered to serve a copy of this Order personally or by mail on
15 counsel for all parties to this action

16 DATED this 4th day of June, 2007.

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FLORENCE-MARIE COOPER, JUDGE
21 UNITED STATES DISTRICT COURT
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$$\text{FMC}(\mathbf{x})$$

EXHIBIT LIST

Defendant(s).

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SCANNED

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5 UNITED STATES DISTRICT COURT
6 CENTRAL DISTRICT OF CALIFORNIA

7) CV

FMC(x)

8
9 Plaintiff(s),

10 vs.

11 **WITNESS LIST**

12 *SAMPLE FORMAT*

13 Defendant(s).
14

15 WITNESSES FOR PLAINTIFF	15 DATES OF TESTIMONY
16	
17	
18	(to be filled in during trial)
19	
20	
21	
22 WITNESSES FOR 22 DEFENDANT	
23	
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