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

BRYAN PRINGLE,
Plaintiffs,

v.

WILLIAM ADAMS, JR., et al.,
Defendants.

) Case No. SACV 10-1656 JST (RZx)
)
)
) **ORDER ON JURY TRIAL**
) **Final Pretrial Conference:**
) February 13, 2012
) _____
) **at 1:30 p.m.**
) **Exhibit Conference**
) February 24, 2012
) _____
) **at 3:00 p.m.**
) **Trial:**
) February 28, 2012
) _____
) **at 9:00 a.m.**

1 **A. SCHEDULING:**

2 1. **In General:** The last day for hearing on any motion to join other parties or to
3 amend the pleadings shall be specified in the Scheduling Order. All unserved parties
4 shall be dismissed no later than the date set for the Final Pretrial Conference.

5 2. **Motions for Summary Judgment or Partial Summary Judgment:** Motions
6 for Summary Judgment or Partial Summary Judgment shall be heard no later than the last
7 day for hearing motions, as set forth in the Scheduling Order.

8 3. **Settlement Procedures:** It is the policy of the Court to encourage disposition
9 of civil litigation by settlement when such is in the best interest of the parties. The Court
10 favors any reasonable means to accomplish this goal. All settlement discussions shall be
11 conducted in compliance with [Local Rule 16-15](#). Consistent with [Local Rule 16-15.2](#), the
12 Scheduling Order establishes a deadline for participation in settlement proceedings. The
13 parties must elect one of the settlement procedures outlined in [Local Rule 16-15.4](#). Note,
14 however, that the parties may not choose a settlement conference before the magistrate
15 judge. If the parties do not timely file a Notice of Settlement Procedure Selection, the
16 Court may order the parties to participate in any of the settlement procedures set forth in
17 the Local Rule.

18 4. **Discovery Cut-Off:** The Scheduling Order establishes a cut-off date for
19 discovery in this action. This is not the date by which discovery requests must be served;
20 it is the date by which all discovery is to be completed. The Court will not approve
21 stipulations between counsel that permit responses to be served after the cut-off date
22 except in extraordinary circumstances.

23 5. **Discovery Motions:** Any motion respecting the inadequacy of responses to
24 discovery must be filed and served not later than ten (10) days after the discovery cut-off
25 date. Whenever possible, the Court expects counsel to resolve discovery problems among
26 themselves in a courteous, reasonable, and professional manner. The Court expects that
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1 counsel will strictly adhere to the Civility and Professional Guidelines adopted by the
2 United States District Court for the Central District of California.

3 6. **Expert Discovery**: The above discovery cut-off date includes expert
4 discovery, unless otherwise ordered by the Court.

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6 **B. FINAL PRETRIAL CONFERENCE:**

7 This case has been placed on calendar for a Final Pretrial Conference pursuant to
8 Fed. R. Civ. P. 16. Strict compliance with the requirements of the Federal Rules of Civil
9 Procedure and the Local Rules is mandatory. Counsel will lodge carefully prepared
10 Memoranda of Contentions of Fact and Law (which may also serve as the trial briefs) and
11 a Final Pretrial Conference Order in accordance with the provisions of [Local Rules 16-4](#)
12 [and 16-7](#). The Memoranda of Contentions of Fact and Law will be served no later than
13 twenty-one (21) calendar days before the Pretrial Conference. The Final Pretrial
14 Conference Order will be lodged no later than eleven (11) calendar days before the
15 Pretrial Conference. The form of the Final Pretrial Conference Order will be in
16 conformity with the form set forth in [Appendix A](#) to the Local Rules.

17
18 **C. PREPARATION FOR TRIAL AND SCHEDULING EXHIBIT CONFERENCE**
19 **FRIDAY BEFORE TRIAL**

20 The Court ORDERS that all counsel comply with the following in their
21 preparation for trial:

22 1. **Motions In Limine**: All motions *in limine* will be heard at the Pretrial
23 Conference. The purpose of these motions is to alert the Court to significant evidentiary
24 issues that can be addressed and resolved prior to trial. All motions *in limine* must be
25 filed and served in compliance with [Local Rule 6-1](#). Opposition papers must be filed and
26 served in compliance with [Local Rule 7-9](#). Reply papers must be filed and served in
27 compliance with [Local Rule 7-10](#).

1 2. **Statement of the Case (Jury Trials)**: Counsel will prepare a joint statement of
2 the case which will be read by the Court to the prospective panel of jurors prior to the
3 commencement of voir dire. The statement should not be more than two or three
4 paragraphs. The statement will be filed with the Court five (5) court days before the
5 Pretrial Conference.

6 3. **Voire Dire (Jury Trials)**: At least five (5) court days before the Pretrial
7 Conference, each counsel shall file with the Court any special questions requested to be
8 put to prospective jurors on voir dire.

9 4. **Witness Lists**: A witness list will be prepared in compliance with [Local Rule](#)
10 [16-5](#). The witness list will be filed no later than five (5) court days prior to the Pretrial
11 Conference. Counsel will submit the names of the witnesses in the order that they are
12 expected to testify, and provide, to the extent possible, an accurate estimate of the time
13 needed for each witness for direct, cross, redirect and re-cross. Counsel will also provide
14 a brief summary of each witness' testimony. If more than one witness is offered on the
15 same subject, the summary should be sufficiently detailed to allow the Court to determine
16 if the testimony is cumulative.

17 5. **Jury Instructions (Jury Trials)**: In a jury trial, jury instructions are to be filed
18 no later than five (5) court days prior to the Pretrial Conference. The parties must submit
19 joint jury instructions. The parties will meet and confer sufficiently in advance of the
20 required submission date, in order to prepare the joint jury instructions. The instructions
21 should be submitted in the order in which the parties wish to have the instructions read.
22 This order should reflect a single organized sequence agreed to by all of the parties.

23 In the event that agreement cannot be reached, counsel will submit three (3) sets of
24 instructions (with an extra set for the Court's law clerks) in the following format: (1) the
25 agreed upon instructions; (2) the instructions proposed by plaintiff and opposed by
26 defendant; and (3) the instructions proposed by defendant and opposed by plaintiff. In
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1 passage desired to be read, and allow opposing counsel an opportunity to state any
2 objection. Counsel shall use either of the following procedures:

3 3. If counsel wishes to read the questions and answers as alleged
4 impeachment and ask the witness no further questions on that subject, counsel may
5 merely read the relevant portions of the deposition into the record.

6 4. If counsel wishes to ask the witness further questions on the
7 subject matter, the deposition is placed in front of the witness and the witness is told to
8 read silently the pages and lines involved. Then counsel may either ask the witness
9 further questions on the matter and thereafter read the quotations or read the quotations
10 and thereafter ask further questions. Counsel should have an extra copy of the deposition
11 for this purpose.

12 5. Where a witness is absent and the witness' testimony is offered
13 by deposition, please observe the following procedure. A reader should occupy the
14 witness chair and read the testimony of the witness while the examining lawyer asks the
15 questions.

16 e. **Advance Notice of Evidentiary or Difficult Questions**

17 If counsel has reason to anticipate that a difficult question of law or
18 evidence will raise legal argument, requiring research and/or briefing, counsel must give
19 the Court advance notice. Counsel are directed to notify the Clerk at the day's
20 adjournment if an unexpected legal issue arises that could not have been foreseen and
21 addressed by a motion *in limine* (*see* Fed. R. Evid. 103). To the maximum extent possible
22 such matters shall be taken outside normal trial hours (*e.g.*, recess, before or after the trial
23 day).

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The Clerk is ordered to serve a copy of this Order on counsel/parties in this action.

IT IS SO ORDERED.

DATED: February 24, 2011

JOSEPHINE STATON TUCKER
JOSEPHINE STATON TUCKER
United States District Judge