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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVON E. MCCOY,

Plaintiff,

Case No. 1:07-cv-0198-DCB

vs.

R. SPIDLE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a California prisoner proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983. After a careful review of the procedural history and record in this matter, the court finds appointment of counsel is warranted. Accordingly, Lisa Jimenez, who has been selected from the court’s pro bono attorney panel.

Accordingly, IT IS HEREBY ORDERED that:


- 1. Lisa Jimenez is appointed as counsel in the above entitled matter.
- 2. Lisa Jimenez shall notify shall notify Sujean Park, ADR and Pro Bono

Program Director, at 916-930-4278 or via email at spark@caed.uscourts.gov, if she has any questions related to the appointment.

3. This case being ready for trial, the deadline for filing the Proposed Pretrial Order is August 2, 2010. The form for the Pretrial Order is attached. Subsequent to it being filed, the Court will set a pretrial conference and a trial date will be set at the pretrial conference.

1 3. The Clerk of the Court is directed to serve a copy of this order upon Lisa
2 Jimenez, Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, CA 95203.

3
4 DATED this 13th day of May, 2010.

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7 _____
8 David C. Bury
9 United States District Judge

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FORM OF PRETRIAL ORDER
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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)		
Plaintiff,)		
)		
v.)	CV	TUC DCB
)		
)	PRETRIAL ORDER	
)		
Defendant.)		
)		

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

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

Accordingly, IT IS ORDERED:

I. NATURE OF ACTION

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

II. STATEMENT OF JURISDICTION

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

1 III. CONTESTED ISSUES OF LAW/FACT

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

4 IV. LIST OF EXHIBITS

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

6 V. LIST OF WITNESSES

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

8 VI. JURY TRIAL or BENCH TRIAL

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

10 For a Jury Trial

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

14 For a Bench Trial

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

17 VII. PROBABLE LENGTH OF TRIAL

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

19 VIII. CERTIFICATION

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

22 _____
Attorney for Plaintiff

Attorney for Defendant

23
24 **IT IS FURTHER ORDERED** that this Joint Pretrial Order is hereby approved on
25 this ___ day of _____, 2006.

26
27 _____
28 David C. Bury
United States District Judge