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

DELANO FARMS COMPANY;
FOUR STAR FRUIT, INC.; AND
GERAWAN FARMING, INC.,

1:07-CV-01610-SEH-JLT

Plaintiffs,

**ORDER FOLLOWING STATUS
CONFERENCE**

vs.

THE CALIFORNIA TABLE GRAPE
COMMISSION; UNITED STATES OF
AMERICA; UNITED STATES
DEPARTMENT OF AGRICULTURE;
AND TOM VILSACK, SECRETARY
OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE
(IN HIS OFFICIAL CAPACITY),

Defendants.

_____ /

The Court conducted a status conference by telephone on April 5, 2013. Plaintiffs were represented by Lawrence M. Hadley, Esq. Defendant California Table Grape Commission was represented by Randolph D. Moss, Esq. and Thomas Saunders, Esq. Defendants United States of America, United States Department of Agriculture, and Tom Vilsack as Secretary of The United States Department of Agriculture were represented by John J. Fargo, Esq. The parties may, in lieu of the following, file a formal pretrial order consistent with the local rules if they so choose.

ORDERED:

1. A bench trial (5 days) will commence on June 10, 2013, at 8:30 a.m., at the Fresno

1 Federal Courthouse, Fresno, California.

2 2. An original and two copies of proposed findings of fact and conclusions of law shall be
3 filed with the Court on or before May 17, 2013. Each party shall e-mail a copy of its proposed findings
4 of fact and conclusions of law to the Court's proposed order inbox at seh_propord@mtd.uscourts.gov.

5 3. Trial briefs directed to the issues to be resolved at trial shall be filed and served on
6 opposing counsel on or before May 17, 2013.

7 4. Exhibits

8 The parties shall file exhibit lists and objections thereto on or before May 17, 2013.

- 9 a. Exhibits are to be bound in a loose-leaf binder and exchanged with
10 opposing counsel prior to their submission.
- 11 b. Each exhibit shall bear an extended tab showing the number of the
12 exhibit.
- 13 c. Exhibits and exhibit numbers are not to be duplicated.
- 14 d. The original and two copies of document exhibits are required. The
15 two copies are to be delivered to the Clerk of Court on or before May
16 17, 2013. One copy will be for use by witnesses during trial. The other
17 copy is to be marked "Court's Copy" and will be for the Court's use
18 during trial.
- 19 f. Any admitted exhibit may be used by any party.

20 4. Witnesses

21 Each party shall submit a list of witnesses on or before May 17, 2013, together with a summary
22 statement of each witness's anticipated testimony.

23 5. Stipulated Facts

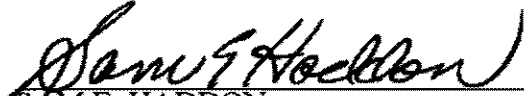
24 The parties shall file a joint statement of agreed facts on or before May 17, 2013.

25 6. Each party shall inform the Court on or before May 17, 2013, of any statement or
26 statements of fact contained in Judge O'Neill's Memorandum Decision and Order Re: Cross Motions
27 for Summary Judgment¹ as to which the party is unwilling to stipulate as accepted, proven, and no longer
28 in dispute for purposes of trial on the merits of remaining issues. Each such factual statement shall be

¹ Document No. 217.

1 referenced to Judge O'Neill's Memorandum Decision by page and line and shall be accompanied by a
2 summary of whatever other evidence will be offered at trial to challenge the contested matter.

3 DATED this 5th day of April, 2013.

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6 SAM E. HADDON
United States District Judge

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