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

FRESNO ROCK TACO, LLC,  
et al.,

CASE NO. CV F 11-0845 LJO SKO

**ORDER AFTER OCTOBER 4, 2012 HEARING**

Plaintiffs,

vs.

NATIONAL SURETY CORPORATION,

Defendant.

\_\_\_\_\_ /  
This Court held an October 4, 2012 hearing scheduled pursuant to an October 1, 2012 order to meet and confer as to the motions in limine. The parties had ignored this Court’s order to meet and confer in a good faith and meaningful manner prior to filing their motions in limine, and had not taken seriously their duty to distill issues. Plaintiff Rock Taco, LLC appeared by telephone by counsel Richard Hamlish (“Mr. Hamlish”). Defendant National Surety Corporation (“defendant”) appeared by telephone through counsel John Hager and Sean Daniel Cooney. For the reasons set forth on the record, this Court **ORDERS** as follows:

1. No later than noon today, October 4, 2012, defendant shall prepare a statement that identifies and distill the issues that are remain contested for each of the pending motions in limine. This should be no more than one paragraph for each of the pending motions.

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2. No later than noon tomorrow, October 5, 2012, Mr. Hamlish shall respond to defendant's statement. He may agree or disagree with defendant's statement and offer his own paragraph to explain the distilled issue that is disputed for each motion.
3. No later than 4:00 p.m. tomorrow, October 5, 2012, the parties shall file a joint statement that explains what issues are left for each motion.
4. This Court shall read and review the parties' joint statement and the pending motions. The Court intends to rule on these motions on the papers submitted. If, after reading and reviewing the motions, this Court determines a hearing to be necessary, this Court shall set a hearing on the motions.
5. The Court orders that the joint statement shall be filed in lieu of oppositions to the pending motions in limine. No oppositions shall be filed or considered unless further ordered by this Court.

IT IS SO ORDERED.

**Dated: October 4, 2012**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES DISTRICT JUDGE**