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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ARTURO GONZALEZ,	)	Case No.: 1:16-cv-00107 – JLT
Plaintiff,	)	
v.	)	ORDER AFTER INFORMAL TELEPHONIC
	)	CONFERENCE RE: TRIAL DATE
CITY OF BAKERSFIELD, et al.,	)	(Doc. 54)
Defendants.	)	
	)	

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On July 14, 2017, the Court conducted the second of two telephonic conferences regarding the trial date. Before this, the Court learned that, without notice, an earlier trial involving defense counsel was continued by a Superior Court judge who gave them no notice and who, apparently, was without concern that the change in date would impact the trial in this matter. This required that the trial in this matter be continued. Thus, after exploring other options, counsel agreed<sup>1</sup> the trial in this case would be re-set to January 16, 2018<sup>2</sup>. This necessitates amendment of the pretrial order. Thus, the Court

**ORDERS:**

1. The trial is **CONTINUED** to **January 16, 2018** at 8:30 a.m.;
2. The pretrial order is amended as follows:

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<sup>1</sup> The Court appreciates that the plaintiff and his counsel would prefer an earlier trial date and appreciates the courtesy they have shown.

<sup>2</sup> The Court advised counsel that it has another jury trial scheduled for the same date. In the event the other case does not resolve, the trial in this matter will trial completion of the earlier-set trial.

1 a. On or before **December 1, 2017** counsel **SHALL** meet and confer to discuss  
2 any disputes related to the above listed exhibits and to pre-mark and examine each other's exhibits.  
3 Any exhibits not previously disclosed in discovery **SHALL** be provided so that it is received by  
4 **November 10, 2017**.

5 3. The parties **SHALL** deliver three sets of their exhibit binders to the Courtroom Clerk  
6 and provide one set to their opponent, no later than 4:00 p.m., on **January 13, 2018**;

7 4. The parties **SHALL** deliver three sets of the joint exhibits<sup>3</sup> to the Courtroom Clerk and  
8 provide one set to their opponent, no later than 4:00 p.m., on **January 13, 2018**. Counsel are jointly  
9 obligated to ensure these exhibits are delivered but will decide which of them will take on this task;

10 5. Any motions in limine must be filed by **December 8, 2017**. Any opposition to the  
11 motions must be filed by **December 22, 2017**. The Court sets a hearing on the motions in limine on  
12 **January 9, 2018**, at 9:30 a.m. Counsel may appear via teleconference by dialing (888) 557-8511 and  
13 entering Access Code 1652736, provided the Magistrate Judge's Courtroom Deputy Clerk receives a  
14 written notice of the intent to appear telephonically at least five court days before the noticed hearing  
15 date;

16 6. If any party wishes to file a trial brief, they must do so in accordance with Local Rule  
17 285 and it must be filed on or before **January 5, 2018**;

18 7. The parties are required to file their proposed voir dire questions, in accordance with  
19 Local Rule 162.1, on or before **January 5, 2018**;

20 8. The parties **SHALL** serve via e-mail their proposed jury instructions in accordance  
21 with Local Rule 163 and their proposed verdict form no later than **November 20, 2017**. The parties  
22 shall conduct a conference to address their proposed jury instructions and verdict form no later than  
23 **December 1, 2017**. At the conference, the parties **SHALL** attempt to reach agreement on jury  
24 instructions and verdict form for use at trial. The parties shall file all joint jury instructions and verdict  
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26 \_\_\_\_\_  
27 <sup>3</sup> If appropriate, counsel may create a third category of exhibits: Shared Exhibits. These are exhibits that both parties  
28 would like marked but to which there may be objections to their introduction. These exhibits will be contained in a  
separate set of exhibit binders and they will be appropriately marked, i.e., as SE, and will be indexed as such on the index  
provided in the Shared Exhibit binder. At trial, the proponent of the exhibit will be obligated to lay the proper foundation  
for the exhibit unless there is a stipulation to admit the exhibit without a further showing.

1 form no later than **January 5, 2018**. At the same time, the parties **SHALL** lodge via e-mail a copy of  
2 the joint jury instructions and joint verdict form (in Word format) to [JLTOrders@caed.uscourts.gov](mailto:JLTOrders@caed.uscourts.gov).

3 **If and only if, the parties after genuine, reasonable and good faith effort** cannot agree upon  
4 certain specific jury instructions and the verdict form, the parties **SHALL** file their respective  
5 proposed (disputed) jury instructions and proposed (disputed) verdict form no later than **January 5,**  
6 **2018**, and identify such as the disputed jury instructions and verdict forms. At the same time, the  
7 party **SHALL** lodge via e-mail to [JLTOrders@caed.uscourts.gov](mailto:JLTOrders@caed.uscourts.gov), a copy of the party's (disputed) jury  
8 instructions and proposed (disputed) verdict form (in Word format).

9 9. Any objections to any amendment to the pretrial order **SHALL** be filed within 10 days.

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11 IT IS SO ORDERED.

12 Dated: July 17, 2017

13 /s/ Jennifer L. Thurston  
14 UNITED STATES MAGISTRATE JUDGE  
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