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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNNY C. THOMAS,
Plaintiff,
v.
MARK KUO,
Defendant.

No. 1:16-cv-00524-DAD-EPG (PC)

ORDER RESETTING TRIAL DATE AND
SETTING FILING DEADLINES AND A
TELEPHONIC TRIAL CONFIRMATION
HEARING

On June 1, 2022, the court held a telephonic status conference in this case and vacated the June 7, 2022 trial date in light of plaintiff’s counsel’s scheduling conflict and due to the parties’ failure to comply with the filing deadlines for trial briefs, exhibit lists, proposed jury *voir dire*, and proposed jury instructions and verdict forms as set forth in the operative pretrial order (Doc. No. 113). (Doc. No. 177.) The court also directed the parties to meet and confer regarding available dates for trial and to inform the court as to their availability for trial in this case. (*Id.*)

Based on the parties’ availability and the court’s trial calendar, the court hereby resets this case for trial on **November 22, 2022 at 8:30 a.m.** in Courtroom 5 before the assigned district judge.

The court also sets a telephonic trial confirmation hearing for **November 7, 2022 at 3:30 p.m.** in Courtroom 5 before the assigned district judge.

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1 In addition, the parties shall comply with the following deadlines:

- 2 1. Plaintiff shall file an updated exhibit list no later than August 2, 2022.
- 3 2. If defendant has any objections to plaintiff's updated exhibit list, defendant shall
4 file his objections within fourteen (14) days of plaintiff filing his updated exhibit
5 list.
- 6 3. The parties must exchange exhibits no later than twenty-eight (28) days before
7 trial. Any objections to exhibits are due no later than fourteen (14) days before
8 trial. The final exhibits are due to the court the Thursday before trial. (*See Doc.*
9 *No. 113 at 6.*)
- 10 4. The parties must lodge the sealed original copy of any deposition transcript to be
11 used at trial with the Clerk of the Court no later than fourteen (14) days before
12 trial. (*See Doc. No. 113 at 7.*)
- 13 5. The parties shall meet and confer in an attempt to generate a joint set of jury
14 instructions and verdict forms. The parties shall file any such joint set of
15 instructions fourteen (14) days before trial, identified as "Joint Jury Instructions
16 and Verdicts." To the extent the parties are unable to agree on all or some
17 instructions and verdicts, their respective proposed instructions are due fourteen
18 (14) days before trial. (*See Doc. No. 113 at 10.*)
- 19 6. Any objections to the proposed jury instructions must be filed seven (7) days
20 before trial; each objection shall identify the challenged instruction and shall
21 provide a concise explanation of the basis for the objection along with citation of
22 authority. (*See Doc. No. 113 at 10.*)
- 23 7. The parties shall e-mail a copy of all proposed jury instructions and verdicts,
24 whether agreed or disputed, as a Word document to the assigned district judge's
25 email address for proposed orders no later than fourteen (14) days before trial; all
26 blanks in form instructions should be completed and all brackets removed. (*See*
27 *Doc. No. 113 at 10.*)

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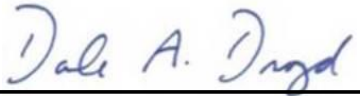
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8. The parties shall file any proposed jury *voir dire* seven (7) days before trial. Each party will be limited to fifteen minutes of supplemental jury *voir dire*.

9. The parties shall file their respective trial briefs no later than seven (7) days before trial. (*See* Doc. No. 113 at 5.)

IT IS SO ORDERED.

Dated: June 3, 2022


UNITED STATES DISTRICT JUDGE