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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GULAMNABI VAHORA,

Plaintiff,

v.

VALLEY DIAGNOSTICS LABORATORY
INC. and NAEEM MUJTABA QARNI (a/k/a
QARNI NAEEM UL MUJTABA),

Defendants.

Case No. 1:16-cv-01624-SKO

**ORDER ON PLAINTIFF'S
OBJECTIONS TO DEFENDANTS'
PROPOSED ADDITIONS TO THE
JOINT VERDICT FORM**

(Doc. 126)

On April 26, 2019, Plaintiff filed his “Objections to Defendants’ Proposed Additions to the Joint Verdict Form” requesting the Court strike Defendants’ proposed additions for failure to conform with the Court’s Third Amended Pretrial Order. (Doc. 126.) Plaintiff further requests that if the Court is inclined to consider Defendants’ proposed additions to the verdict form, that he be given until May 3, 2019, “to file succinct objections to each proposed addition.” (*Id.*)

The Court’s Third Amended Pretrial Order requires that any proposed additions to the verdict form be “clearly indicated on the party’s proposed verdict form” and cautions the parties that all jury instructions and verdict forms “will not be given or used unless they are e-mailed to the court.” (Doc. 116 at 23–24.) Defendants neither submitted a verdict form that “clearly indicate[s]” their proposed additions, nor emailed the Court a copy of their proposed additions in

1 Word format. Instead, Defendants simply filed a clean version of its proposed verdict form, with
2 its proposed additions incorporated into the document, in PDF format on the Court’s docket. (*See*
3 Doc. 117.) Similarly, Defendants filed proposed additional jury instructions in PDF format with
4 no corresponding version provided to the Court by email. (*See* Doc. 120.) Accordingly,
5 Defendants failed to comply with the Court’s Third Amended Pretrial Order and the Court could
6 strike these proposed additions without further consideration.

7 In view of the Court’s strong preference for deciding issues on the merits, rather than on
8 procedural technicalities, the Court ORDERS as follows:

- 9 1. Defendants SHALL file and submit its proposed additions to the verdict form and
10 additional proposed jury instructions, in accordance with the Third Amended Pretrial
11 Order, by no later than April 30, 2019; and
- 12 2. Plaintiff SHALL file any objections to the merits of Defendants’ proposed additions
13 to the verdict form, by no later than May 3, 2019.¹

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15 IT IS SO ORDERED.

16 Dated: April 29, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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27 ¹ The Court notes that Plaintiff did not file any objections to Defendants’ proposed additional jury instructions, but
28 appears to have erroneously filed a document docketed as “Objections” that is identical to Plaintiff’s witness list.
(*See* Docs. 124, 125.) To the extent Plaintiff intended to file any objections to the merits of Defendants’ proposed
additional jury instructions, Plaintiff SHALL file such objections by no later than May 3, 2019.