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

MAURICE SCOTT,
Plaintiff,
v.
KELLER, *et al.*,
Defendants.

Case No. 2:07-CV-00184-KJD-PAL

ORDER

Presently before the Court is Plaintiff's Response to the Order to Show Cause and Request for Trial Scheduling Order (#154). Accordingly, it is hereby ordered that the parties file a proposed Joint Pre-Trial Order in the format attached to this order. The proposed Joint Pre-Trial Order shall be filed no later than March 16, 2015.

IT IS SO ORDERED.

DATED this 12th day of February 2015.



Kent J. Dawson
United States District Judge

ATTACHMENT

**FORM OF PROPOSED JOINT
PRE-TRIAL ORDER**

UNITED STATES DISTRICT
COURT EASTERN DISTRICT OF
CALIFORNIA

_____,)
Plaintiff,) CASE NO. _____
)
)
vs.)
)
_____,) PRETRIAL ORDER
Defendant.)
)
_____)

Following pretrial proceedings in this cause,

IT IS ORDERED:

I.

This is an action for: (State nature of action, relief sought, identification and contentions of parties.)

II.

Statement of jurisdiction: (State the facts and cite the statutes which give this Court jurisdiction of the Case.)

III.

The following facts are admitted by the parties and require no proof:

IV.

The following facts, though not admitted, will not be contested at trial by evidence to the contrary:

V.

The following are the issues of fact to be tried and determined upon trial.¹ (Each issue of fact must be stated separately and in specific terms.)

VI.

The following are the issues of law to be to be tried and determined upon trial.² (Each issue of law must be stated separately and in specific terms.)

- (a) The following exhibits are stipulated into evidence in this case and may be so marked by the Clerk:
 - (1) Plaintiff's exhibits.
 - (2) Defendant's exhibits.
- (b) As to the following additional exhibits the parties have reached the stipulations stated:
 - (1) Set forth stipulations as to plaintiff's exhibits.
 - (2) Set forth stipulations as to defendant's exhibits.
- (c) As to the following exhibits, the party against whom the same will be offered objects to their admission upon the grounds stated:
 - (1) Set forth objections to plaintiff's exhibits.
 - (2) Set forth objections to defendant's exhibits.
- (d) Depositions:
 - (1) Plaintiff will offer the following depositions: (Indicate name of deponent and identify portions to be offered by pages and lines and the party or parties against whom offered.)
 - (2) Defendant will offer the following depositions: (Indicate name of deponent and identify portions to be offered by pages and lines and the party or parties against who offered.)

¹ Should counsel be unable to agree upon the statement of issues of fact, the joint pretrial order should include separate statements of issues of fact to be tried and determined upon trial.

² Should counsel be unable to agree upon the statement of issues of law, the joint pretrial order should include separate statements of issues of law to be tried and determined upon trial.

(e) Objections to Depositions:

(1) Defendant objects to plaintiff's deposition as follows:

(2) Plaintiff objects to defendant's depositions as follows:

VIII.

The following witnesses may be called by the parties upon trial:

(a) State names and addresses of plaintiff's witnesses.

(b) State names and addresses of defendant's witnesses.

IX.

Counsel have met and herewith submit a list of three (3) agreed-upon trial dates:

It is expressly understood by the undersigned that the Court will set the trial of this matter on one (1) of the agreed-upon dates if possible; if not, the trial will be set at the convenience of the Court's calendar.

X.

It is estimated that the trial herein will take a total of _____ days.

APPROVED AS TO FORM AND CONTENT:

Attorney for Plaintiff

Attorney for Defendant

XI.

ACTION BY THE COURT

(a) This case is set down for Court/jury trial on the fixed/stacked calendar on _____.
Calendar call shall be held on _____.

(b) An original and two (2) copies of each trial brief shall be submitted to the Clerk on or before _____.

(c) Jury trials:

(1) An original and two (2) copies of all instructions requested by either party shall be submitted to the Clerk for filing on or before _____.

(2) An original and two (2) copies of all suggested questions of the parties to be asked of the jury panel by the Court on *voir dire* shall be submitted to the Clerk for filing on or before _____.

(d) Court trials:

Proposed findings of fact and conclusions of law shall be filed on or before _____.

The foregoing pretrial order has been approved by the parties to this action as evidenced by the signatures of their counsel hereon, and the order is hereby entered and will govern the trial of this case. This order shall not be amended except by order of the Court pursuant to agreement of the parties or to prevent manifest injustice.

DATED: _____.

UNITED STATES DISTRICT JUDGE or
UNITED STATES MAGISTRATE JUDGE
