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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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CONTRACT ASSOCIATES OFFICE  
INTERIORS, INC.,

Plaintiff,

v.

LETITIA A. RUITER, WORKSPACE  
SOLUTIONS, INC., and TEKNION  
L.L.C.,

Defendants,

NO. CIV. 07-334 WBS EFB

ORDER

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AND RELATED COUNTERCLAIMS.

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After considering the parties' objections to the court's Final Pretrial Order, the court makes the following modifications to that Order:

(1) With the exception of plaintiff's claim under California's Unfair Competition Law ("UCL"), Cal. Bus. & Prof. Code § 17200, all claims in this case will be submitted to a

1 jury. The court will decide plaintiff's UCL claim because the  
2 claim is equitable in nature. EchoStar Satellite Corp. v. NDS  
3 Group PLC, No. 03-950, 2008 WL 4596644, at \*4 (C.D. Cal. Oct. 15,  
4 2008) (citing Bradstreet v. Wong, 161 Cal. App. 4th 1440, 1458  
5 (2008)). The court will consider such evidence presented to the  
6 jury as is relevant to the equitable claim, along with such  
7 additional evidence relating solely to the equitable claim as the  
8 parties may wish to present to the court in the absence of the  
9 jury.

10 With respect to the UCL claim, counsel for plaintiff  
11 shall lodge and serve the Findings of Fact and Conclusions of Law  
12 that plaintiff proposes be entered at the conclusion of the trial  
13 pursuant to Federal Rule of Civil Procedure 52 and Local Rule  
14 52-290 by no later than February 5, 2009. Counsel for defendants  
15 shall lodge and serve the Findings of Fact and Conclusions of Law  
16 that defendants propose be entered by no later than February 10,  
17 2009.

18 (2) Counsel for each party shall file and serve trial  
19 briefs, which shall include any motions in limine, by no later  
20 than fourteen days before trial. Staggered briefing is not  
21 scheduled. Pursuant to Local Rule 16-285, however, counsel for  
22 each party may file a responsive brief by no later than three  
23 court days before trial.

24 (3) Plaintiff's counsel shall file and serve objections  
25 to the jury instructions proposed by defendants and to any  
26 proposed form of verdict by no later than February 17, 2009.

27 (4) Counsel for each party shall file and serve any  
28 oppositions to any motions in limine by no later than February

1 11, 2009.

2 (5) Counsel for each party shall file and serve  
3 objections to exhibits identified in the court's Final Pretrial  
4 Order by no later than February 13, 2009.

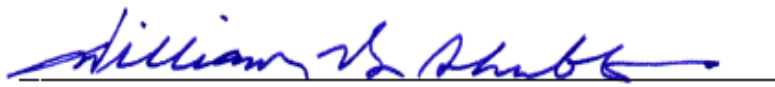
5 (6) Counsel for each party shall file and serve  
6 counter-designations of portions of deposition transcripts  
7 intended to be offered or read into evidence and file evidentiary  
8 objections to any other party's designations by no later than  
9 February 10, 2009.

10 (7) Receiving no objection from plaintiff, the court  
11 will modify the sixth item of Exhibit G to the Final Pretrial  
12 Order to read, "Declarations of Letitia Ruiter, dated April 29,  
13 2008, and May 8, 2008."

14 Except as herein modified, the provisions of the Final  
15 Pretrial Order remain in full force and effect.

16 IT IS SO ORDERED.

17 DATED: February 2, 2009

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20 WILLIAM B. SHUBB  
21 UNITED STATES DISTRICT JUDGE  
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