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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALICIA WAGNON, et al.,  
Plaintiffs,  
v.  
ROCKLIN UNIFIED SCHOOL  
DISTRICT, et al.,  
Defendants.

Case No. 2:17-cv-1666 CSK

PRETRIAL SCHEDULING ORDER

The parties have filed their updated joint trial readiness statement. (ECF No. 80.) The Court issues the following pretrial scheduling order.<sup>1</sup>

**I. FINAL PRETRIAL CONFERENCE AND TRIAL**

The final pretrial conference is set for **October 15, 2024** at 10:00 a.m. in Courtroom No. 25 before Magistrate Judge Chi Soo Kim. Trial counsel must appear at the final pretrial conference. At the final pretrial conference, the Court will set the deadlines for other trial-related deadlines, including the submission of exhibits, trial briefs, proposed voir dire, jury instructions, and verdict forms.

<sup>1</sup> This matter proceeds before the undersigned pursuant to 28 U.S.C. § 636(c) on the consent of all parties. (ECF Nos. 23, 24.)

1           **A. Joint Pretrial Statement**

2           The parties shall file a joint pretrial statement pursuant to Local Rule 281(a)(2).  
3           The joint pretrial statement must be filed no later than twenty-one (21) days before the  
4           date set for the final pretrial conference and must also be emailed as a Word document  
5           to [CSKorders@caed.uscourts.gov](mailto:CSKorders@caed.uscourts.gov). **Separate pretrial statements are not permitted**  
6           **unless a party is not represented by counsel.**

7           The pretrial statement must cover all topics identified in Local Rule 281 with the  
8           following additions and clarifications:

- 9           1. Statement of the Case: A concise statement of the case must be included.
- 10          2. Trial Length Estimate: An estimate of the length of trial must also be included.  
11           Unless otherwise ordered, trial hours will be from 9:30 a.m. to 4:30 p.m., Monday  
12           through Friday.
- 13          3. Procedural Status: A concise summary of the procedural status of the case must  
14           be included, including the disposition of any motions and whether any motions are  
15           still pending.
- 16          4. Factual Issues: The undisputed facts and disputed factual issues shall be set  
17           forth in separate sections of the pretrial statement. Each fact or factual issue  
18           should be numbered. For disputed factual issues, identify the cause of action or  
19           defense to which the factual issue is related.
- 20          5. Points of Law: In the points of law section of the pretrial statement, include the  
21           elements for each cause of action and each defense, with citation to the relevant  
22           legal authority.
- 23          6. Motions In Limine: The parties shall also identify the motions in limine each party  
24           reasonably anticipates filing.
- 25          7. Witnesses: Each party's witness list must be submitted as a separate attachment  
26           to the pretrial statement, and labeled as such. The witness list must include the  
27           witness's name; the witness's title or position; whether the testimony is offered in-  
28           person or by deposition; whether the witness is designated as an expert; and a

1 concise statement of the anticipated subjects of testimony. Pursuant to Local Rule  
2 281, only individuals on the witness list submitted with the pretrial statement will  
3 be permitted to testify at trial, except as may be otherwise provided in the pretrial  
4 order. The witness's address does not need to be included.

- 5 8. Exhibits: Each party's exhibit list must be submitted as a separate attachment to  
6 the pretrial statement, and labeled as such. Plaintiff's exhibits shall be listed  
7 numerically; Defendant's exhibits shall be listed alphabetically. All exhibits must  
8 be identified with a reasonable amount of detail, including: bates numbers;  
9 document/file date; and a concise description. Pursuant to Local Rule 281, only  
10 exhibits on the exhibit list submitted with the pretrial statement will be permitted to  
11 be offered at trial, except as may be otherwise provided in the pretrial order.

#### 12 **B. Motions In Limine**

13 Motions in limine shall be filed fourteen (14) days before the date set for the final  
14 pretrial conference. Any opposition shall be filed seven (7) days before the date set for  
15 the final pretrial conference. No replies shall be filed. The parties should be prepared to  
16 argue their motions in limine at the final pretrial conference. The Court will endeavor to  
17 rule on motions in limine before trial begins to assist the parties in their trial preparations.

#### 18 **C. Trial**

19 A jury trial is set for **November 4, 2024** at 9:30 a.m., in Courtroom No. 25. The  
20 parties estimate two weeks for trial. (ECF No. 80.)

### 21 **II. MODIFICATIONS OF THIS SCHEDULING ORDER**

22 This case schedule will become final without further order of the Court unless  
23 written objections are filed within fourteen (14) days of the entry of this order. The parties  
24 are reminded that pursuant to Federal Rule of Civil Procedure 16(b)(4), this order shall  
25 not be modified except by leave of Court upon a showing of "good cause." See *Johnson*  
26 *v. Mammoth Recreations, Inc.*, 975 F.2d 604 (9th Cir. 1992). Agreement by the parties  
27 pursuant to a stipulation does not constitute good cause. Nor does the unavailability of  
28 witnesses or counsel, except in extraordinary circumstances, constitute good cause.

1 Any request or stipulation to modify this scheduling order must set forth the  
2 following:

3 (1) the existing date;

4 (2) whether there have been prior requests for extensions, and whether these were  
5 granted or denied by the Court; and

6 (3) specific, concrete reasons supporting good cause for granting the extension. For  
7 example, if the reason for the requested extension is that it “will promote  
8 settlement,” the requesting party or parties must indicate the status of negotiation  
9 efforts (e.g., whether a mediator has been selected, a mediation has been  
10 scheduled, etc.).

11 IT IS SO ORDERED.

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13 Dated: April 26, 2024

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CHI SOO KIM  
UNITED STATES MAGISTRATE JUDGE

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