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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARD PAUL PARISH, HERBERT
ANTHONY ADDERLEY, and WALTER
ROBERTS III, on behalf of themselves and
all others similarly situated,

No. C 07-00943 WHA

Plaintiffs,

FINAL PRETRIAL ORDER

v.

NATIONAL FOOTBALL LEAGUE PLAYERS
INCORPORATED d/b/a PLAYERS INC., a
Virginia corporation,

Defendant.

FOR GOOD CAUSE and after an earlier trial continuance and a subsequent final pretrial conference, the Court issues the following final pretrial order:

1. This case shall go to a **JURY TRIAL** on **OCTOBER 20, 2008**, at **7:30 A.M.**, and shall continue until completed on the schedule discussed at the conference. The issues to be tried shall be those set forth in the joint proposed pretrial order except to the extent modified by order *in limine*. This final pretrial order supersedes all the complaint, answer and any counterclaims, cross-claims or third-party complaints, *i.e.*, only the issues expressly identified for trial remain in the case.

2. Rulings on the motions *in limine* shall be summarized jointly by counsel and submitted by **NOON ON OCTOBER 17, 2008**.

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3. Except for good cause, each party is limited to the witnesses and exhibits disclosed in the joint proposed final pretrial order less any excluded or limited by an order *in limine*. Materials or witnesses used solely for true impeachment need not be disclosed and may be used, subject to the rules of evidence.

4. The stipulations of facts set forth in the joint proposed final pretrial order are approved and binding on all parties.

5. A jury of **TEN PERSONS** shall be used.

6. Each side shall have **EIGHTEEN HOURS** to examine witnesses (counting direct examination, cross-examination, re-direct examination, re-cross examination, etc.). Opening statements and closing arguments shall not count against the limit. Each side may have 45 minutes for opening statement.

7. The parties shall follow the Court's current *Guidelines for Trial and Final Pretrial Conference*, separately provided and available on the Internet at <http://www.cand.uscourts.gov>, which guidelines are incorporated as part of this order.

IT IS SO ORDERED.

Dated: October 16, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE