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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH WILSON,)	
)	
Plaintiff(s),)	No. C07-3431 BZ
)	
v.)	Related Case: C07-5642 BZ
)	
COMPASS VISION INC., et al.,)	REVISED ORDER SCHEDULING
)	JURY TRIAL AND PRETRIAL
)	MATTERS
Defendant(s).)	
_____)	

Following a status conference held on Monday, January 12, 2009, at which all parties were represented by counsel, and at the request of all parties **IT IS HEREBY ORDERED** that the previous Order Scheduling Jury Trial And Pretrial Matters is modified as follows:

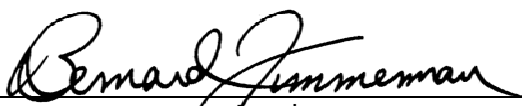
1. TENTATIVE DATES
- Trial Date: **Monday, 11/9/2009, 20 days**
- Pretrial Conference: **Tuesday, 10/20/2009, 3:00 p.m.**
- Last Day to Hear Dispositive Motions: **Wednesday, 9/23/2009**
- Last Day for Expert Discovery: **Friday, 8/14/2009**
- Last Day for Rebuttal Expert Disclosure: **Friday, 8/7/2009**
- Last Day for Expert Disclosure: **Friday, 7/31/2009**

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Close of Non-expert Discovery: **Friday, 7/24/2009**

A status conference is set for **Monday, March 2, 2009 at 4:00 p.m.** to discuss which plaintiff's case will be tried first. Anyone wishing to appear by telephone shall contact **CourtCall**, telephonic court appearances at **1-888-882-6878**, and make arrangements for the telephonic conference call. The status conference currently set for **February 2, 2009** is **VACATED.**

Dated: January 13, 2009



Bernard Zimmerman
United States Magistrate Judge

G:\BZALL\BZCASES\WILSON\FINAL REVISED TRIAL SCHEDULING ORDER.wpd

1 **ATTACHMENT 1**

2 The parties shall file a joint pretrial conference
3 statement containing the following information:

4 (1) **The Action.**

5 (A) Substance of the Action. A
6 brief description of the
7 substance of claims and
8 defenses which remain to be
9 decided.

10 (B) Relief Prayed. A detailed
11 statement of each party's
12 position on the relief
13 claimed, particularly
14 itemizing all elements of
15 damages claimed as well as
16 witnesses, documents or other
17 evidentiary material to be
18 presented concerning the
19 amount of those damages.

20 (2) **The Factual Basis of the Action.**

21 (A) Undisputed Facts. A plain and
22 concise statement of all
23 relevant facts not reasonably
24 disputable, as well as which
25 facts parties will stipulate
26 for incorporation into the
27 trial record without the
28 necessity of supporting
testimony or exhibits.

(B) Disputed Factual Issues. A
plain and concise statement of
all disputed factual issues
which remain to be decided.

(C) Agreed Statement. A statement
assessing whether all or part
of the action may be presented
upon an agreed statement of
facts.

(D) Stipulations. A statement of
stipulations requested or
proposed for pretrial or trial
purposes.

(3) **Trial Preparation.**

A brief description of the efforts the parties have

1 made to resolve disputes over anticipated testimony,
2 exhibits and witnesses.

3 (A) Witnesses to be Called. In
4 lieu of FRCP 26(a)(3)(A), a
5 list of all witnesses likely
6 to be called at trial, other
7 than solely for impeachment or
8 rebuttal, together with a
9 brief statement following each
10 name describing the substance
11 of the testimony to be given.

12 (B) Estimate of Trial Time. An
13 estimate of the number of
14 court days needed for the
15 presentation of each party's
16 case, indicating possible
17 reductions in time through
18 proposed stipulations, agreed
19 statements of facts, or
20 expedited means of presenting
21 testimony and exhibits.

22 (C) Use of Discovery Responses. In
23 lieu of FRCP 26(a)(3)(B), cite
24 possible presentation at trial
25 of evidence, other than solely
26 for impeachment or rebuttal,
27 through use of excerpts from
28 depositions, from
interrogatory answers, or from
responses to requests for
admission. Counsel shall
state any objections to use of
these materials and that
counsel has conferred
respecting such objections.

(D) Further Discovery or Motions.
A statement of all remaining
motions, including Daubert
motions.

23 **(4) Trial Alternatives and Options.**

24 (A) Settlement Discussion. A
25 statement summarizing the
26 status of settlement
27 negotiations and indicating
28 whether further negotiations
are likely to be productive.

(B) Amendments, Dismissals. A
statement of requested or

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proposed amendments to
pleadings or dismissals of
parties, claims or defenses.

(C) Bifurcation, Separate Trial of
Issues. A statement of whether
bifurcation or a separate
trial of specific issues is
feasible and desired.

(5) **Miscellaneous.**

Any other subjects relevant to the trial of the action,
or material to its just, speedy and inexpensive
determination.

ATTACHMENT 2

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USDC
Case No. CV07-03431 BZ
JOINT Exhibit No. _____

Date Entered _____

Signature _____

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Date Entered _____

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USDC
Case No. CV07-03431 BZ
PLNTF Exhibit No. _____

Date Entered _____

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DEFT Exhibit No. _____

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