

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SWINGLESS GOLF CLUB CORPORATION, a
Wyoming corporation,

Plaintiff,

v.

ROY H. TAYLOR, individually and d/b/a
CENTERFIRE GOLF COMPANY, and JAMES S.
STOWELL, an individual, JACK GALANTI, an
individual, MIKE STRINGER, an individual,
CENTERFIRE GOLF COMPANY, a California
corporation, NEW RIVER INDUSTRIES CORP.,
EZEE GOLF LLC, a Delaware limited liability
company, and STEVE FLUKE, an individual,

Defendants.

No. C 08-05574 WHA

**FINAL PRETRIAL
ORDER**

FOR GOOD CAUSE and after a final pretrial conference, the Court issues the
following final pretrial order:

1. This case shall go to a **JURY TRIAL** on **SEPTEMBER 20, 2010**, 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. For there reasons stated at the final pretrial conference, plaintiffs' two motions *in limine* are **DENIED**.

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 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.

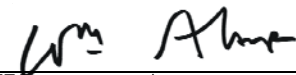
5. A jury of **EIGHT PERSONS** shall be used.

6. Each side shall have **TEN 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. As agreed upon at the final pretrial conference, opening statements will be limited to **TWENTY MINUTES** per side. If, despite being efficient, non-duplicative, and non-argumentative in the use of the allotted time, one side runs out of time and it would be a miscarriage of justice to hold that side to the limit, then more time will be allotted.

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: September 13, 2010.


 WILLIAM ALSUP
 UNITED STATES DISTRICT JUDGE