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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELIZABETH TACKBERRY, JASMINE
ELIZABETH LOPEZ, by and through her Guardian
Ad Litem, Jovita Munoz Lopez,

No. C 08-05762 WHA

Plaintiffs,

v.

THE COUNTY OF ALAMEDA, ALAMEDA
COUNTY SHERIFF'S DEPARTMENT, SHERIFF
GREGORY AHERN, individually and in his
official capacity, SANTA RITA JAIL, CITY OF
LIVERMORE, LIVERMORE POLICE
DEPARTMENT, STEVE SWEENEY, in his
official capacity and individually, PUBLIC
HEALTH SERVICES, INC., and DOES 1 to 100,
inclusive,

**REMINDER NOTICE OF
UPCOMING TRIAL AND
FINAL PRETRIAL
CONFERENCE**

Defendants.

This notice serves as a friendly reminder that this case remains set for a **FINAL PRETRIAL CONFERENCE** on **OCTOBER 18, 2010**, at **2:00 P.M.**, with a **JURY TRIAL** on **NOVEMBER 1, 2010**. Please consult the existing case management order and review and follow all standing guidelines and orders of the undersigned for civil cases on the Court's website at <http://www.cand.uscourts.gov>. Continuances will rarely be granted.

The final pretrial conference will be an important event, for it will be there that the shape of the upcoming trial will be determined, including *in limine* orders, time limits and exhibit mechanics. Lead trial counsel must attend.

1 To avoid any misunderstanding with respect to the final pretrial conference and trial,
2 the Court wishes to emphasize that all filings and appearances must be made — on pain of
3 dismissal, default or other sanction — unless and until a dismissal fully resolving the case is
4 received. It will not be enough to inform the clerk that a settlement in principle has been
5 reached or to lodge a partially executed settlement agreement or to lodge a fully executed
6 agreement (or dismissal) that resolves less than the entire case. Where, however, a
7 fully-executed and unconditional settlement agreement clearly and fully disposing of the entire
8 case is lodged reasonably in advance of the pretrial conference or trial and only a ministerial
9 act remains, the Court will arrange a telephone conference to work out an alternate procedure
10 pending a formal dismissal.


11 Please state whether the Court can be of further ADR assistance (but avoid stating
12 offers, counteroffers or dollar amounts).

13 In this case, the Court wishes to consider the following additional trial procedures and
14 desires that counsel meet and confer and reach a stipulation concerning whether and how to
15 use them:

- 16 1. Scheduling opposing experts so as to appear in successive order;
- 17 2. Giving preliminary instructions on the law;
- 18 3. Allowing limited pre-closing deliberations (as per, *e.g.*, Rule 39
19 of the Arizona Rules of Civil Procedure); and
- 20 4. Allowing each side fifteen minutes of opening/argument time to
21 be used during the evidence time (in addition to normal opening statement and
22 closing argument).

23 Please present the results of your stipulation (or not) in the joint pretrial conference
24 submissions.

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27 Dated: October 12, 2010.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE