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

DAVID A. BLOOM,

Plaintiff,

No. C 09-03418 WHA

v.

J.P. MORGAN CHASE & CO., and  
J.P. MORGAN SECURITIES, INC.,

Defendants.

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**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 **DECEMBER 13, 2010, AT 7:30 A.M.**, subject to notice of necessary continuance as discussed at the conference, and shall continue until completed. 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 **NOVEMBER 30, 2010, AT 5:00 P.M.**
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

1 *in limine*. Materials or witnesses used solely for impeachment need not be disclosed and may  
2 be used, subject to the rules of evidence.

3 4. A jury of **EIGHT PERSONS** shall be used.

4 5. Each side shall have **EIGHT HOURS** to examine witnesses (counting direct  
5 examination, cross-examination, re-direct examination, re-cross examination, etc.).

6 Opening statements and closing arguments shall not count against the limit. If, despite being  
7 efficient, non-duplicative, and non-argumentative in the use of the allotted time, one side runs  
8 out of time and it would be a miscarriage of justice to hold that side to the limit, then more time  
9 will be allotted.

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


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14 **IT IS SO ORDERED.**

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16 Dated: November 24, 2010.

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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