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

WESTMINSTER HOUSE, LLC, a Delaware
limited liability company,

No. C 12-02026 WHA

Plaintiff,

FINAL PRETRIAL ORDER

v.

HAI NGOC DINH, an individual,

Defendant.

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

1. As discussed at the final pretrial conference, the November 18, 2013 trial date is hereby **VACATED**.

2. This case shall go to a **JURY TRIAL** on **DECEMBER 13, 2013**, at **7:30 AM**, 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 and as discussed at the final pretrial conference. 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.

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

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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 **8 PERSONS** shall be used.

6. Each side shall have **8 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. 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: November 5, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE