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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

KEYON GARDNER and KELVIN POTTS,
JR.,

Plaintiffs,

v.

CITY OF OAKLAND; HOWARD
JORDAN, in his capacity as Chief of Police
for the CITY OF OAKLAND; MARK
THOMAS, individually and in his official
capacity as a police officer for the CITY OF
OAKLAND,

Defendants.

Case No. 12-cv-02926 NC

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

This notice serves as a friendly reminder that this case remains set for a **FINAL PRETRIAL CONFERENCE** on October 23, 2013, at 2:00 p.m., with a **JURY TRIAL** on November 4, 2013, at 9:00 a.m. 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.

Case No. 12-cv-02926 NC
REMINDER NOTICE OF TRIAL AND
PRETRIAL CONFERENCE

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 fully-
7 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 status 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 of the Arizona
19 Rules of Civil Procedure); and
- 20 4. Allowing each side fifteen minutes of opening/argument time to be used
21 during the evidence time (in addition to normal opening statement and closing argument).

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

24 IT IS SO ORDERED.

25 Date: September 26, 2013


Nathanael M. Cousins
United States Magistrate Judge