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

Kucharczyk,

No. CV12-03760 JSW

Plaintiff,

**ORDER SCHEDULING TRIAL AND
PRETRIAL MATTERS**

v.

Intuitive Surgical, Inc.,

Defendant.

Following the Case Management Conference, IT IS HEREBY ORDERED that the Case Management Statement is adopted, except as expressly modified by this Order. It is further ORDERED that:

A. DATES

Jury Trial Date: 4/14/2014, at 8:00 a.m., 10 days

Jury Selection: 4/9/2014, at 8:00 a.m.

Pretrial Conference: Monday, 3/24/2014, at 2:00 p.m.

Last Day to Hear Dispositive Motions: Friday, 1/10/2014, at 9:00 a.m.

If the parties plan to file cross-motions for summary judgment, they shall meet and confer and agree to a briefing schedule whereby:

- one party files an opening summary judgment motion by November 13, 2013
- the other party shall file its opposition and cross-motion by November 29, 2013
- the reply and opposition to the cross-motion is due by December 13, 2013
- the reply in support of the cross-motion is due by December 20, 2013

Close of ALL Discovery: 10/14/2013

B. DISCOVERY

The parties are reminded that a failure voluntarily to disclose information pursuant to Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of

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non-expert discovery, lead counsel for each party shall serve and file a certification that all supplementation has been completed.

C. PROCEDURE FOR AMENDING THIS ORDER

No provision of this order may be changed except by written order of this court upon its own motion or upon motion of one or more parties made pursuant to Civil. L. R. 7-1 or 7-1-(b) without a showing of very good cause. If the modification sought is an extension of a deadline contained herein, the motion must be brought before expiration of that deadline. The parties may not modify the pretrial schedule by stipulation. A conflict with a court date set after the date of this order does not constitute good cause. The parties are advised that if they stipulate to a change in the discovery schedule, they do so at their own risk. The only discovery schedule that the Court will enforce is the one set in this order. Additionally, briefing schedules that are specifically set by the court may not be altered by stipulation; rather the parties must obtain leave of Court.

IT IS SO ORDERED.

Dated: November 8, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE