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

MUNICH RE UNDERWRITING
LIMITED,

Plaintiff,

v.

GLACIER BAY INC,

Defendant.

NO. C 13-00762SC

COURT TRIAL PREPARATION ORDER

COURT TRIAL PREPARATION FOR JUDGE CONTI

A. Required Submissions

No later than fourteen (14) days before trial, each party shall e-file with this court, serve upon all other parties and provide two courtesy copies directly to chambers of the following materials. Unless otherwise noted, these materials shall be printed in thirteen point times new roman font.

(1) Proposed Findings of Fact and Conclusions of Law (a third copy of which must be provided in Word format and e-mailed to Judge Conti’s proposed order mail box, scPO@cand.uscourts.gov).

(2) A trial brief.

(3) A list of exhibits conforming substantially to the form attached as Appendix A.

Upon request of a party, any party shall make the original of any exhibit available for inspection and/or copying.

(4) A list of witnesses, including expert witnesses, in the expected order of their presentation. The witness list shall also include:

(a) a brief statement as to the content of the witness' testimony;

- 1 (b) an estimate of the time of the witness' testimony, on both direct and
- 2 cross examination;
- 3 (c) any expert testimony shall strictly comply with FRC Rule 26(a);
- 4 (d) any Daubert objections to the testimony of any expert or witness should
- 5 be raised with the Court by motion (10) days before trial. Or objection is
- 6 WAIVED.

7 No witnesses other than those on said list shall be allowed to testify, except upon express
8 order of this court.

9 (5) A statement designating all excerpts from depositions (specifying the witness'
10 name, with page and line references), answers to interrogatories, and responses to requests
11 for admission to be offered at trial for any purpose other than impeachment or rebuttal.

12
13 **B. Exhibit Binders**

14 Exhibits that can be reduced to 8.5" by 11" form (i.e. written documents, photographs,
15 etc.) should be placed in three-ring binders with each exhibit tabbed on the side. A copy of
16 the exhibit list should be placed in the front of the binder. Binders should be clearly labeled
17 on the outside as to which party's exhibits and what exhibit numbers they contain. The
18 parties should prepare three (3) sets of binders: one for the Judge, one for the witness to refer
19 to, and one for the clerk to act as the original. The original copy should have an exhibit
20 marker affixed to the first page of each exhibit in the lower right hand corner. These binders
21 are to be delivered directly to Judge Conti's Chambers no later than three (3) days before the
22 date of trial. They are not to be filed in the clerk's office.

23
24 **IT IS SO ORDERED.**

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26 Dated: 06/20/2014

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UNITED STATES DISTRICT COURT

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INSTRUCTIONS FOR EXHIBIT MARKERS, EXHIBIT LIST, AND TRANSCRIPTS

EXHIBIT MARKERS

Counsel should fill in the appropriate markers leaving the "Date Entered" and "Deputy Clerk" lines blank.

Plaintiff's exhibits should be denoted as: 1, 2, 3, etc. Defendant's exhibits should be denoted as: A, B, C, etc.

EXHIBIT LIST

Counsel are to supply all the requested information with the exception of the two "Date Boxes."

COLOR OF EXHIBIT BINDERS

Plaintiff's exhibit binders must be black and Defendant's exhibit binders must be white.

TRANSCRIPTS

Should a daily transcript and/or realtime reporting be desired, arrangements must be made with the Courtroom Deputy at least fourteen (14) days before the scheduled trial date.

United States District Court

For the Northern District of California

1 Case No. _____ Case No. _____

2 **PLTF** Exhibit No. 1 **DEFT** Exhibit No. A

3 Date Entered _____ Date Entered _____

4 Signature _____ Signature _____

5 Case No. _____ Case No. _____

6 **PLTF** Exhibit No. 2 **DEFT** Exhibit No. B

7 Date Entered _____ Date Entered _____

8 Signature _____ Signature _____

9 Case No. _____ Case No. _____

10 **PLTF** Exhibit No. 3 **DEFT** Exhibit No. C

11 Date Entered _____ Date Entered _____

12 Signature _____ Signature _____

13 Case No. _____ Case No. _____

14 **PLTF** Exhibit No. 4 **DEFT** Exhibit No. D

15 Date Entered _____ Date Entered _____

16 Signature _____ Signature _____

17 Case No. _____ Case No. _____

18 **PLTF** Exhibit No. 5 **DEFT** Exhibit No. E

19 Date Entered _____ Date Entered _____

20 Signature _____ Signature _____

21 Case No. _____ Case No. _____

22 **PLTF** Exhibit No. 6 **DEFT** Exhibit No. F

23 Date Entered _____ Date Entered _____

24 Signature _____ Signature _____

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