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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CATHERINE VIVERS,
Plaintiff,

v.

UNITED STATES OF AMERICA,
Defendant.

Case No. [13-cv-03444-SC](#)

**COURT TRIAL PREPARATION
ORDER**

IT IS HEREBY ORDERED THAT:

A. Required Submissions

No later than fourteen (14) calendar days before trial, each party shall e-file with this court, serve upon all other parties, and provide to the court 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;

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

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

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

B. Exhibit Binders

Exhibits that can be reduced to 8.5" by 11" form (i.e. written documents, photographs, etc.) should be placed in three-ring binders of no more than three inches each. Exhibits shall be tabbed on the side and must be pre-marked in accordance with the attached forms. A copy of the exhibit list should be placed in the front of the binder. Binders should be clearly labeled on the outside as to which party's exhibits and what exhibit numbers they contain. The parties should prepare three (3) sets of binders: one for the Judge, one for the witness to refer to, and one for the clerk to act as the original. The exhibit marker should be affixed to the first page of each exhibit in the lower right hand corner. These binders shall be lodged with the Court no later than five (5) days before the scheduled trial date.

IT IS SO ORDERED.

Dated: August 11, 2015



SAMUEL CONTI
United States District Judge

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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.

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

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4 CASE NO. _____ DATE: _____
5 _____ v. _____

6 EXHIBIT LIST

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() Defendant

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United States District Court
Northern District of California

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Case No. _____ PLTF Exhibit No. <u>1</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>A</u> Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>2</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>B</u> Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>3</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>C</u> Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>4</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>D</u> Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>5</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>E</u> Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>6</u> Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>F</u> Date Admitted _____ Signature _____