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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAYLER BAYER,
Plaintiff,

v.

NEIMAN MARCUS GROUP, INC.,
Defendant.

Case No. [13-cv-04487-TSH](#)

FINAL PRETRIAL ORDER

On April 10, 2019, the Court held a Final Pretrial Conference in this matter. This Order summarizes the Court’s rulings and information about how the trial will be conducted.

1. The trial will proceed in Courtroom A as follows: The parties will appear at 8:30 a.m. on Monday, April 29, 2019. The trial will start at 9:00 a.m. The following day trial will resume at 9:00 a.m. Each day there will be a 15-minute break at 11:00 a.m., a 45-minute lunch break at 12:30 p.m., and a 15-minute afternoon break at 2:30 p.m. Trial will conclude at 4:30 p.m. each day. The trial will last no more than two days.
2. Each side has 6 hours and 15 minutes to present its case. The hours include opening and closing statements, as well as any rebuttal. Opening statements must be limited to 30 minutes per side, and closing arguments must be limited to 45 minutes per side, including rebuttal.
3. With respect to objections to evidence and other legal points the Court must decide, any such argument should occur before 9:00 a.m. or after 4:30 p.m. unless it is unavoidable. Objections during the trial should consist of a citation to the Federal Rule(s) of Evidence at issue and the applicable generic description (e.g. “relevance”).
4. The parties must rise when making an objection.

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- 5. The parties must seek leave to approach witnesses.
- 6. Forty-eight hours in advance, counsel must disclose to the opposing party the witnesses to be called and the exhibit numbers of the documents that counsel plans to use on direct (other than for impeachment). Within 24 hours of such disclosure, counsel shall exchange exhibit numbers to be used in cross of the witnesses (other than for impeachment). The parties will not be allowed to call witnesses or use documents other than those that have been previously disclosed in the Pretrial Conference Statement and in the daily witness lists.
- 7. The parties shall have their exhibits marked and copies in binders. The exhibits, along with exhibit and witness lists, must be delivered to the Clerk's Office by noon on Friday, April 26, 2019.

IT IS SO ORDERED.

Dated: April 10, 2019


THOMAS S. HIXSON
United States Magistrate Judge