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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN HUNT,
Plaintiff,
v.
CONTINENTAL CASUALTY COMPANY,
Defendant.

Case No. 13-cv-05966-HSG

PRETRIAL ORDER

United States District Court
Northern District of California

The Court held a pretrial conference in this case on October 20, 2015. The Court ordered as follows:

1. Each party shall have 18 hours to present its case at trial.
2. The parties shall disclose the witnesses they intend to call and the order of call by 10:00 a.m. the day before the parties intend to call those witnesses. The parties shall meet and confer regarding all exhibits and demonstratives intended to be produced by 5:00 p.m. the day before. If the parties cannot in good faith resolve all of their evidentiary disputes, they shall file a statement of five pages or less framing any such disputes by midnight.
3. Defendant cannot present the deposition testimony of witnesses Wong and Stonehouse via audio recording, as contemplated in the joint pretrial statement. Any deposition testimony that was not recorded live will be read into evidence by counsel at trial. Defendant may display photographs of witnesses Wong and Stonehouse while their deposition testimony is being read.
4. By **October 23, 2015**, Defendant shall file a supplemental brief of no more than ten pages regarding (1) the allegedly adverse employment actions that will be at issue at trial, and (2) the affirmative defenses requiring resolution by the Court before trial. Plaintiff shall file a

1 responsive brief of no more than ten pages by **October 27, 2015**.

2 5. The parties shall meet and confer regarding the video playback of deposition
3 designations and counterdesignations. Any remaining Rule 106 objections shall be specifically
4 articulated in a statement of five pages or less and filed by **October 26, 2015**.

5 6. Plaintiff shall file a detailed offer of proof regarding the evidence subject to
6 Defendant's motions in limine Nos. 1-4 by **October 26, 2015**, and Defendant shall file a
7 responsive offer of proof by **October 29, 2015**. The parties shall meet and confer regarding the
8 evidence subject to Plaintiff's motion in limine No. 2. Whichever party intends to first introduce
9 such evidence shall file a detailed offer of proof by **October 26, 2015**, and the other party shall
10 file a responsive offer of proof by **October 29, 2015**.

11 7. If Plaintiff intends to file a motion to quash the trial subpoena of Dr. McNeal, she
12 shall do so by **October 26, 2015**. Defendant shall respond by **October 29, 2015**.

13 8. If Plaintiff seeks to seal any of the evidence to be introduced at trial relating to her
14 psychotherapist records, Plaintiff shall file an administrative motion to seal by **October 26, 2015**
15 describing (1) the specific material sought to be sealed; (2) the compelling reasons to seal such
16 material, with citations to authority; (3) how the request to seal is narrowly tailored to seal only
17 sealable material; and (4) how the material should be sealed from a practical perspective.
18 Defendant shall file any opposition to the motion to seal by **October 29, 2015**.

19 9. The parties shall meet and confer again regarding the proposed voir dire questions.
20 The parties should focus on arriving at a targeted number of agreed-upon questions that cover
21 relevant topics. Duplicative or irrelevant questions will not be asked. The parties shall file a
22 revised and condensed list of voir dire questions by **October 29, 2015**. If, after a good faith
23 attempt to meet and confer, either party objects to any of the voir dire questions proposed by the
24 other party, the parties shall file a joint written statement of five pages or less specifically framing
25 those objections by **October 29, 2015**.

26 10. The parties shall meet and confer and file revised proposed jury instructions in
27 accordance with the Court's rulings at the pretrial conference by **October 29, 2015**.

28 11. The parties shall file form exhibit and witness lists by **October 30, 2015**. The form


1 exhibit list shall include the following columns: (1) Exhibit Number; (2) Brief Description; (3)
2 Sponsoring Witness; (4) Date Marked for Identification (left blank); and (5) Date Admitted into
3 Evidence (left blank). The form witness list shall include the following columns: (1) Witness
4 Name; (2) Brief Summary of Testimony; and (3) Exhibits (left blank).

5 12. The parties shall lodge courtesy copies of all expert reports by close of business on
6 **October 30, 2015.**

7 13. If the parties believe a limiting instruction is appropriate in relation to the
8 introduction of Plaintiff's psychotherapist records into evidence, they shall meet and confer and
9 file a joint proposed instruction by **October 30, 2015.**

10 **IT IS SO ORDERED.**

11 Dated: 10/21/2015

12 
13 HAYWOOD S. GILLIAM, JR.
14 United States District Judge

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