

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

A&C CATALYSTS, INC.,

Plaintiff,

No. C 14-04122 WHA

v.

RAYMAT MATERIALS, INC.,

Defendant.

**CASE MANAGEMENT ORDER
AND DENYING SEALING
MOTION**

RAYMAT MATERIALS, INC.,

Counter-Plaintiff,

v.

A&C CATALYSTS, INC.,

Counter-Defendant.

Raymat Materials, Inc. v. A&C Catalysts, Inc., No. 3:13-cv-00567-WHA, was filed in February 2013. Trial was set for June 30, 2014. On June 11, the parties filed a stipulation of dismissal. The file was closed.

On September 11, A&C Catalysts, Inc. commenced this action to enforce the settlement agreement. Raymat Materials, Inc. filed an answer and counterclaim.

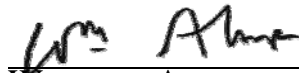
After a case management conference, the Court enters the following order pursuant to Rule 16 of the Federal Rules of Civil Procedure (“FRCP”) and Civil Local Rule 16-10:

- 1 1. All initial disclosures under FRCP 26 must be completed by **NOVEMBER 13, 2014, AT**
2 **NOON**, on pain of preclusion under FRCP 37(c), including full and faithful compliance
3 with FRCP 26(a)(1)(A)(iii).
- 4 2. Each side will be limited to only **THREE DEPOSITIONS**. Each deposition shall begin at
5 9:00 a.m. and continue (with the minimum number of reasonable breaks) until 5:00 p.m.
- 6 3. The deposition of James Turner shall occur on **NOVEMBER 19**. The deposition of
7 Abraham Goldstein shall occur on **NOVEMBER 20**. The deposition of Jibing Lin shall
8 occur on **NOVEMBER 21**. The deposition of John Wolfe shall occur on
9 **NOVEMBER 24, 2014**. The depositions of Mr. Goldstein and Mr. Wolfe shall take place
10 at counsel for A&C Catalysts' office. The depositions of Mr. Turner and Mr. Lin shall
11 take place at counsel for Raymat's office. These deposition dates and locations may
12 only be changed by a written stipulation signed by counsel for both sides.
- 13 4. The non-expert discovery cut-off date shall be **NOVEMBER 24, 2014**.
- 14 5. The last date for designation of expert testimony and disclosure of full expert reports
15 under FRCP 26(a)(2) as to any issue on which a party has the burden of proof
16 ("opening reports") shall be **NOVEMBER 24, 2014**. Opposition reports are due by
17 **DECEMBER 1, 2014**. No reply reports. Expert discovery closes **DECEMBER 5, 2014**.
- 18 6. Pre-trial motions *in limine* (not to exceed five pages) must be filed by **DECEMBER 1,**
19 **2014**. Oppositions must be filed by **DECEMBER 4, 2014**. Each side is limited to three
20 pre-trial motions *in limine*. *Daubert* motions (not to exceed fifteen pages) must be filed
21 by **DECEMBER 8 AT NOON**. Oppositions must be filed by **DECEMBER 10 AT NOON**.
- 22 7. The parties shall file a joint statement regarding whether a jury trial is demanded by
23 **DECEMBER 1, 2014, AT NOON**.
- 24 8. All pre-trial materials (except as to the oppositions to the motions *in limine*, *Daubert*
25 motions, and *Daubert* oppositions referred to above) must be filed by
26 **DECEMBER 1, 2014**. Please see the Guidelines For Trial and Final Pretrial Conference
27 in Civil Jury Cases Before The Honorable William Alsup on the district court website.
28 Chamber's copies (with three-hole punches) are due by **DECEMBER 2 AT NOON**.

- 1 9. The **FINAL PRETRIAL CONFERENCE** shall be at **2:00 P.M.** on **DECEMBER 11, 2014**.
- 2 10. A **TRIAL** shall begin on **DECEMBER 15, 2014**, at **7:30 A.M.**, in Courtroom 8, 19th Floor,
3 450 Golden Gate Avenue, San Francisco, California, 94102. The trial schedule and time
4 limits shall be set at the final pretrial conference.
- 5 11. Counsel may not stipulate around the foregoing dates without Court approval.
- 6 12. All filings and appearances must be made — on pain of dismissal, default or other
7 sanction — unless and until a dismissal fully resolving the case is received. It will not
8 be enough to inform the clerk that a settlement in principle has been reached or to lodge
9 a partially executed settlement agreement or to lodge a fully executed agreement (or
10 dismissal) that resolves less than the entire case.
- 11 13. If you have not already done so, please read and follow the “Supplemental Order to
12 Order Setting Initial Case Management Conference in Civil Cases Before Judge William
13 Alsup” and other orders issued by the Clerk’s office when this action was commenced.
14 With respect to the final pretrial conference and trial, please read and follow the
15 “Guidelines For Trial and Final Pretrial Conference in Civil Jury Cases Before The
16 Honorable William Alsup.” All orders and guidelines referenced in the paragraph are
17 available on the district court’s website at <http://www.cand.uscourts.gov>. The website
18 also includes other guidelines for attorney’s fees motions and the necessary form of
19 attorney time records for cases before Judge Alsup.
- 20 14. The request to seal the settlement transcript in Case No. 3:13-cv-00567 is hereby
21 **DENIED.**

22
23 **IT IS SO ORDERED.**

24
25 Dated: November 12, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE