

United States District Court  
For the Northern District of California

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

A&C CATALYSTS, INC.,  
Plaintiff and Counter-Defendant, No. C 14-04122 WHA  
v.  
RAYMAT MATERIALS, INC., **FINAL PRETRIAL ORDER**  
Defendant and Counter-Plaintiff.

**FOR GOOD CAUSE** and after a final pretrial conference, the following constitutes the final pretrial order:

1. This case shall go to a **BENCH TRIAL** on **DECEMBER 15, 2014**, at **NOON**, and shall continue until completed on the schedule discussed at the conference. The issues to be tried shall be those set forth in the joint proposed pretrial order except to the extent modified by order *in limine*. This final pretrial order supersedes all the complaint, answer and any counterclaims, cross-claims or third-party complaints, *i.e.*, only the issues expressly identified for trial remain in the case.
2. Except for good cause, each party is limited to the witnesses and exhibits disclosed in the joint proposed final pretrial order less any excluded or limited by an order *in limine*. Materials or witnesses used solely for impeachment need not be disclosed and may be used, subject to the rules of evidence.

1           3.       The stipulations of facts set forth in the joint proposed final pretrial order are  
2 approved and binding on all parties. The parties are responsible for reading into the record the  
3 pertinent parts.

4           4.       Each side shall have **FOUR HOURS** to examine witnesses (counting direct  
5 examination, cross-examination, re-direct examination, re-cross examination, etc.).  
6 Opening statements and closing arguments shall not count against this limit. If, despite being  
7 efficient, non-duplicative, and non-argumentative in the use of the allotted time, one side runs  
8 out of time and it would be a miscarriage of justice to hold that side to the limit, then more time  
9 may be allotted.

10          5.       Each side shall have **TWENTY MINUTES** for opening statements.

11          6.       The parties shall follow the Court's current *Guidelines for Trial and*  
12 *Final Pretrial Conference in Civil Bench Cases*, available at <http://www.cand.uscourts.gov>,  
13 which are incorporated as part of this order.

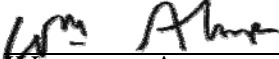
14          7.       Each side shall have until **9:00 A.M. ON DECEMBER 13** to serve amended  
15 deposition designations. Each side shall have until **9:00 A.M. ON DECEMBER 14** to serve  
16 amended counter-designations.

17          8.       By **NOON ON DECEMBER 15**, the parties shall jointly lodge a three-ring binder of  
18 the top twenty trial exhibits.

19          9.       A copy of the procedure for proposed findings of fact and conclusions of law  
20 was handed to counsel at the final pretrial conference. The parties shall file any objections to  
21 that procedure by **9:00 A.M. ON DECEMBER 15**.

22  
23           **IT IS SO ORDERED.**

24  
25 Dated: December 12, 2014.

26   
27 WILLIAM ALSUP  
28 UNITED STATES DISTRICT JUDGE