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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATHAN BURGOON, et al.,

Plaintiffs,

v.

NARCONON OF NORTHERN
CALIFORNIA, et al.,

Defendants.

Case No. 15-cv-01381-EMC

**ORDER RE TRIAL ON MENTAL
CAPACITY AND UNDUE INFLUENCE**

The Court held a case management conference on October 1, 2015, regarding the trial on mental capacity and undue influence. This order memorializes the Court's rulings and provides additional rulings, as necessary.

A one-day bench trial shall be held on January 4, 2016, starting at 9:30 a.m. Plaintiffs collectively shall have three hours to present evidence and testimony; likewise, Defendants collectively shall have three hours to present evidence and testimony.

Pretrial filings shall be filed no later than December 7, 2015. Pretrial filings shall be limited to the following:

- *Trial briefs.* Plaintiffs collectively shall file one brief, and Defendants collectively shall file one brief).
- *Witness lists.* Plaintiffs collectively shall file one list, and Defendants collectively shall file one list. The parties shall refer to the Court's Civil Pretrial Instructions for guidance on witness lists.
- *Objections to witnesses.* The Court is not permitting motions in limine. Therefore, objections to witness testimony shall be made in a manner similar to objections to exhibits,

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(as covered in the Court’s Civil Pretrial Instructions). For any objection, there shall also be a brief response to the objection.

- *Exhibit lists.* Plaintiffs collectively shall file one list, and Defendants collectively shall file one list. The parties shall refer to the Court’s Civil Pretrial Instructions for guidance on exhibit lists (including objections).
- *Expert declarations.* In lieu of direct testimony from an expert, the Court shall accept a declaration from the expert. The declaration shall be no longer than twelve double-spaced pages. A CV may be attached to the declaration. The expert must still be available to testify for cross-examination and rebuttal.

IT IS SO ORDERED.

Dated: October 2, 2015



EDWARD M. CHEN
United States District Judge