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(A) Undisputed Facts. A plain and concise statement of all relevant facts not reasonably disputed.

(B) Disputed Factual Issues. A plain and concise statement of all disputed factual issues which remain to be decided.

(C) Agreed Statement. A statement assessing whether all or part of the action may be presented upon an agreed statement of facts.

(D) Stipulations. A statement of stipulations requested or proposed for pretrial or trial purposes.

(3) Disputed Legal Issues. Without extended legal argument, a concise statement of each disputed point of law concerning liability or relief.

(4) Further Discovery or Motions. A statement of all remaining discovery or motions.

(5) Trial Alternatives and Options.

(A) Settlement Discussions. A statement summarizing the status of settlement negotiations and indicating whether further negotiations are likely to be productive.

(B) Consent to Trial Before a Magistrate Judge. A statement whether the parties consent to a court or jury trial before a magistrate judge, with appeal directly to the Ninth Circuit.

(C) Bifurcation, Separate Trial of Issues. A statement of whether bifurcation or a separate trial of specific issues is feasible and desired.

(6) Miscellaneous. Any other subjects relevant to the trial of the action, or material to its just, speedy and inexpensive determination.

(b) Exhibit List and Objections. The exhibit list shall list each proposed exhibit by its number (see Civil L.R. 30-2(b)), description, and sponsoring witness, followed by blanks to accommodate the date on which it is marked for

1 identification and the date on which it is admitted into
2 evidence. **No party shall be permitted to offer any exhibit in**
3 **its case-in-chief that is not disclosed in its exhibit list**
4 **without leave of the Court for good cause shown.** Parties shall
5 also deliver a set of premarked exhibits to the Courtroom
6 Deputy. The exhibit markers shall each contain the name and
7 number of the case, the number of the exhibit, and blanks to
8 accommodate the date admitted and the Deputy Clerk's initials.
9 (Appropriate sample forms are available on the Court's website
10 at www.cand.uscourts.gov). Any objections to exhibits which
11 remain after the pretrial meeting shall be indicated in the
12 pretrial statement.

13 (c) Witness List. In addition to the requirements of
14 FR Civ P 26(a)(3)(A), a brief statement describing the substance
15 of the testimony to be given by each witness who may be called
16 at trial. **No party shall be permitted to call any witness in**
17 **its case-in-chief who is not disclosed in its pretrial statement**
18 **without leave of Court for good cause shown.**

19 (d) Use of Discovery Responses. In addition to the
20 requirements of FR Civ P 26(a)(3)(B), a designation of any
21 excerpts from interrogatory answers or from responses for
22 admissions intended to be offered at trial. Counsel shall
23 indicate any objections to use of these materials and that
24 counsel have conferred respecting such objections.

25 (e) Trial briefs. Briefs on all significant disputed
26 issues of law, including foreseeable procedural and evidentiary
27 issues, which remain after the pretrial meeting.

1 (f) Motions in Limine. Any motions in limine that
2 could not be settled at the pretrial meeting shall be filed with
3 the pretrial statement. All motions in limine shall be
4 contained within one document, limited to 25 pages pursuant to
5 Civil L.R. 7-2(b), with each motion listed as a subheading.
6 Opposition to the motions in limine shall be contained within
7 one document, limited to 25 pages, with corresponding
8 subheadings, and filed seven (7) days thereafter.

9 (g) Joint Proposed Voir Dire. The attached voir dire
10 questionnaire will be given to the venire members, and copies of
11 the responses will be made available to counsel at the beginning
12 of voir dire. Counsel may submit a set of additional requested
13 voir dire, to be included in the questionnaire or posed by the
14 Court, to which they have agreed at the pretrial meeting. Any
15 voir dire questions on which counsel cannot agree shall be
16 submitted separately. Counsel may be allowed brief follow-up
17 voir dire after the Court's questioning.

18 (h) Joint Proposed Jury Instructions. As applicable,
19 jury instructions §1.1A, §1.1C, §1.2 through §1.17, §1.19, §2.1
20 through §2.13, §3.1 through §3.3 from the Manual of Model Civil
21 Jury Instructions for the Ninth Circuit (most recent edition)
22 will be given absent objection. Counsel shall jointly submit
23 one set of additional proposed jury instructions, to which they
24 have agreed at the pretrial meeting. The instructions shall be
25 ordered in a logical sequence, together with a table of
26 contents. Any instruction on which counsel cannot agree shall
27 be marked as "disputed," and shall be included within the
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1 jointly submitted instructions and accompanying table of
2 contents, in the place where the party proposing the instruction
3 believes it should be given. Argument and authority for and
4 against each disputed instruction shall be included as part of
5 the joint submission, on separate pages directly following the
6 disputed instruction.

7 The parties shall email to cwpo@cand.uscourts.gov a copy of
8 their proposed jury instructions in WordPerfect or Word format.
9 The subject of the email should include the name of the parties,
10 the case number and a description of the document.

11 (i) Proposed Verdict Forms, Joint or Separate.

12 (j) Proposed Findings of Fact and Conclusions of Law
13 (Court Trial only). The parties shall email to
14 cwpo@cand.uscourts.gov a copy of their proposed findings of fact
15 and conclusions of law in WordPerfect or Word format. The
16 subject of the email should include the name of the parties, the
17 case number and a description of the document.

18 JURY SELECTION

19 The Jury Commissioner will summon 20 to 25 prospective
20 jurors. The Courtroom Deputy will select their names at random
21 and seat them in the courtroom in the order in which their names
22 are called. Copies of their questionnaires will be provided to
23 counsel.

24 Voir dire will be asked of sufficient venire persons so
25 that eight (or more for a lengthy trial) will remain after all
26 peremptory challenges and an anticipated number of hardship
27 dismissals and cause challenges have been made.

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The Court will then take cause challenges, and discuss hardship claims from the individual jurors, outside the presence of the venire. The Court will inform the attorneys which hardship claims and cause challenges will be granted, but will not announce those dismissals until the process is completed. Each side may then list in writing up to three peremptory challenges. The attorneys will review each other's lists and then submit them to the Courtroom Deputy.

Then, from the list of jurors in numerical order, the Court will strike the persons with meritorious hardships, those excused for cause, and those challenged peremptorily, and call the first eight people in numerical sequence remaining. Those people will be the jury.

All jurors remaining at the close of the case will deliberate. There are no alternates.

SANCTIONS

Failure to comply with this Order is cause for sanctions under Federal Rule of Civil Procedure 16(f).

IT IS SO ORDERED.

Dated: _____



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

JUROR QUESTIONNAIRE

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Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The city where you live: _____

How long have you lived there: _____

4. Your place of birth: _____

5. Do you rent or own your own home? _____

6. Your marital status: (circle one)

single married live with partner separated divorced widowed

7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

8. Who is (or was) your employer?

9. How long have you worked for this employer? _____

10. Please list the occupations of any adults with whom you live.

11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

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12. Please describe your educational background:

Highest grade completed: _____

College and/or vocational schools you have attended:

Major areas of study: _____

13. Have you ever served on a jury before? _____ How many times? _____

If yes: State/County Court _____ Federal Court _____

When? _____

Was it a civil or criminal case? _____

Did the jury(ies) reach a verdict? _____

14. Attached is a list of the parties in this case, the law firms representing the parties, attorneys in this case, and persons who are potential witnesses in this case. Do you know, or think you know, any of the persons listed?

Yes: _____ No: _____

If so, make a check next to their name.