

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH MILBAUER,
PLAINTIFF(S),
VS.
UNITED STATES OF AMERICA.,
DEFENDANT(S).

Case No.: 4-12-cv-6517- YGR
CASE MANAGEMENT AND PRETRIAL ORDER

TO ALL PARTIES AND COUNSEL OF RECORD:

The Court hereby sets the following trial and pretrial dates:

PRETRIAL SCHEDULE

CASE MANAGEMENT CONFERENCE:	Monday, 9/23/13 at 2:00 p.m.
REFERRED TO MAGISTRATE JUDGE FOR A SETTLEMENT CONFERENCE TO BE COMPLETED BY:	6/21/13
LAST DAY TO JOIN PARTIES OR AMEND PLEADINGS:	3/22/13
NON-EXPERT DISCOVERY CUTOFF:	9/17/13
DISCLOSURE OF EXPERTS (RETAINED/NON-RETAINED):	Opening: 10/1/13 Rebuttal: 10/22/13
EXPERT DISCOVERY CUTOFF:	11/12/13
DISPOSITIVE MOTIONS ¹ TO BE HEARD BY:	11/26/13
FIRST & SECOND COMPLIANCE HEARINGS (See PAGE 2)	Friday, 1/24/14 at 9:01 a.m.
JOINT PRETRIAL CONFERENCE STATEMENT:	1/31/14
PRETRIAL CONFERENCE:	2/14/14
TRIAL DATE AND LENGTH:	Monday, 3/10/14 at 8:30 a.m. for 3-5 days (Bench Trial)

¹ See Standing Order regarding Pre-filing Conference Requirements for motions for summary judgment.

1 The Court's Pretrial Instructions in Civil Cases have significant requirements, including
2 various deadlines to prepare for trial. At a minimum, trial counsel are required to make exchanges
3 twenty-eight days in advance of the Pretrial Conference and to meet and confer at least twenty-one
4 (21) days in advance of the Pretrial Conference. However, in certain cases, more time may be
5 necessary to prepare in light of the complexities of the case.

6 The First Compliance Hearing is intended to confirm that counsel understand the requirements
7 of the Pretrial Instructions Order and to resolve any questions regarding the parties' obligations. The
8 compliance hearing shall be held in the Federal Courthouse, 1301 Clay Street, Oakland, California, in
9 Courtroom 5. Five (5) business days prior to the date of the Compliance Hearing, the parties shall file
10 a one-page JOINT STATEMENT AND PROPOSED ORDER (i) confirming that trial counsel has each read
11 and understands the deadlines imposed under the Pretrial Order, (ii) identifying each deadline (either
12 by default under the standing order or by stipulation) including, at a minimum, the deadlines listed on
13 Attachment A, and (iii) identifying whether the tenor of the litigation has progressed in either a
14 cooperative or contentious manner. If the Court is satisfied with the Joint Statement, the compliance
15 hearing may be taken off calendar. If not, trial counsel must appear personally.

16 A Second Compliance Hearing is set to confirm that counsel have timely met and conferred as
17 required by the Standing Pretrial Instructions Order and any specific such order for this action. Five
18 (5) business days prior to the date of the compliance hearing, the parties shall file a Joint Statement
19 confirming they have complied with this requirement or explaining their failure to comply. If
20 compliance is complete, the parties need not appear and the compliance hearing will be taken off
21 calendar. Telephonic appearances will be allowed if the parties have submitted a Joint Statement in a
22 timely fashion. Failure to do so may result in sanctions.

23 The parties must comply with both the Court's Standing Order in Civil Cases and Standing
24 Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All Standing
25 Orders are available on the Court's website at <http://www.cand.uscourts.gov/ygrorders>.

26 **IT IS SO ORDERED.**

27 Dated: March 28, 2013

28 
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE