

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
 SAN JOSE DIVISION

DAVID COLE, et. al., CASE NO. 5:12-cv-02086-EJD

Plaintiff(s),
 v.

PRETRIAL ORDER
(JURY TRIAL)

STATE OF CALIFORNIA DEPARTMENT
 OF CORRECTIONAL SAFETY; et. al.,
 Defendant(s).

The above-entitled action is scheduled for a Preliminary Pretrial Conference on June 28, 2013. Based on the parties' Joint Preliminary Pretrial Conference Statement (see Docket Item No. 38), the court has determined an appearance is unnecessary at this time. Accordingly, the Preliminary Pretrial Conference is VACATED and the parties are ordered to comply with the following orders.

IT IS HEREBY ORDERED that on or before **July 1, 2013**, the parties shall submit a Stipulation and Proposed Order dismissing Zenobia Cole as a plaintiff to this action for the court's consideration;

IT IS FURTHER ORDERED that the previous order referring this action to mediation through this district's ADR Program (see Docket Item No. 7) is VACATED. The parties are instead ordered to participate in private mediation before Retired Judge James Emerson. The mediation session shall be completed within 90 days of the date this order is filed.

IT IS FURTHER ORDERED that following schedule shall apply to this case:

EVENT	DATE
Fact Discovery Cutoff	9/30/2013
Designation of Opening Experts with Reports	10/30/13
Designation of Rebuttal Experts with Reports	11/18/13
Expert Discovery Cutoff	1/10/14

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Final Pretrial Conference	11:00 a.m. on 2/28/14
Joint Final Pretrial Conference Statement, Motions <i>in Limine</i> and Exchange of Exhibits	2/14/14
Voir Dire Questions, Proposed Jury Instructions, and Proposed Jury Verdict Forms	2/18/14
Jury Selection	9:00 a.m. on 3/17/14
Jury Trial ¹	3/18-3/19/14 (full days); 3/20/14 (1/2 day a.m.); 3/24/14 (1/2 day a.m.); 3/25-3/26/14 (full days); 3/27/14 (1/2 day a.m.); 3/31/14 (1/2 day a.m.); 4/1-4/2/14 (full days)
Jury Deliberations	4/3-4/4/14

IT IS FURTHER ORDERED that the parties shall comply with the Standing Order re: Preliminary and Final Pretrial Conference and Trial Preparation, a copy of which is available from the Clerk of the Court,² with regard to all pretrial submissions.

The court advises the parties that this is the **final case schedule**. All parties are expected to comply as directed above. This schedule will not be amended further absent the presentation of good cause necessitating such an amendment.

IT IS SO ORDERED.

Dated: June 21, 2013


EDWARD J. DAVILA
United States District Judge

¹ Jury trials are held in full day sessions on Tuesdays and Wednesdays, and morning sessions on Thursdays (9:00 a.m.–12:00 p.m.), unless the Court otherwise specifies. At the Final Pretrial Conference, the Court reserves the right to add morning sessions on Mondays (9:00 a.m.–12:00 p.m.), thus creating extra half-days for trial. The final trial schedule will be confirmed at the Final Pretrial Conference.

² A copy of Judge Davila’s standing order is also available on the court’s website at www.cand.uscourts.gov by clicking first on the “Judges” button, then on Judge Davila’s name, then on the link for “Judge Davila’s Standing Orders,” and finally on the link for “Standing Order Re Pretrial Preparation.”