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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHARLES LOFT,
Plaintiff,
v.
STATIONARY ENGINEERS, LOCAL 39
PTF, LLC,
Defendant.

Case No. 14-CV-00817-LHK
**ORDER RE: PLAINTIFF'S MOTION IN
LIMINE NO. 2**
Re: Dkt. No. 68

A final pretrial conference is scheduled in this case for May 21, 2015. ECF No. 24. Pursuant to Guidelines for Final Pretrial Conference in Jury Trials Before District Judge Lucy H. Koh, “the parties shall file and serve any motions in limine at least 14 days before the final Pretrial Conference, and any opposition thereto at least 10 days before the final Pretrial Conference.” Accordingly, motions in limine in this case were due to be filed and served on May 7, 2015, and oppositions on May 11, 2015.

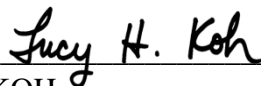
On May 7, 2015, Plaintiff’s counsel purported to file “in limine motion number two.” See ECF No. 68-1 (“Declaration of Robert David Baker in Support of in limine Motion Number Two.”). However, Plaintiff’s counsel did not file a second motion in limine by May 7, 2015, and appears to have filed two copies of Exhibit A to Mr. Baker’s declaration, rather than one copy of

1 the motion in limine and one copy of Exhibit A. *Compare* ECF No. 68 with ECF No. 68-2. Nor
2 did Plaintiff’s counsel serve Plaintiff’s second motion in limine on Defendant by May 7, 2015,
3 based on Defendant’s statement in opposition that Defendant “is unaware of the basis for [the]
4 motion and/or the exclusion of unknown documents or evidence.” *See* ECF No. 71. Because this
5 is an issue the parties should have resolved amongst themselves as a matter of professional
6 courtesy, and in fairness to the Plaintiff, the Court will permit Plaintiff’s counsel a limited window
7 within which to re-file Plaintiff’s motion in limine number two.

8 Accordingly, Plaintiff’s counsel has until 10:00 am tomorrow, May 13, 2015, to re-file
9 Plaintiff’s second motion in limine if Plaintiff’s counsel wants this motion considered by the
10 Court. Any opposition thereto shall be filed by 10:00 am on Wednesday, May 20, 2015.

11 **IT IS SO ORDERED.**

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13 Dated: May 12, 2015

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16 LUCY H. KOH
17 United States District Judge