

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LUXUL TECHNOLOGY INC.,
Plaintiff,
v.
NECTARLUX, LLC, et al.,
Defendants.

Case No.14-cv-03656-LHK
PRETRIAL CONFERENCE ORDER

Plaintiff's Attorney: Melinda Morton
Defendants' Attorney: Mark Johnson

A pretrial conference was held on July 7, 2016. At the pretrial conference, the Court made the following rulings on the record:

TRIAL SCHEDULE: Trial will take place on the following days:

- 1. Monday, August 8, 2016
- 2. Tuesday, August 9, 2016
- 3. Friday, August 12, 2016
- 4. Monday, August 15, 2016

Trial will take place from 9:00 a.m. to 4:30 p.m. There will be a lunch break from noon to 1:00 p.m. daily. There will be an approximately 15 minute break at about 10:30 a.m., and an approximately 10 minute break at about 2:15 p.m. and at about 3:30 p.m. each day. Jury deliberations will take place on consecutive business days.

TIME LIMITS: The parties shall have 6 hours of evidence per side. The parties shall have 20

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

minutes per side for opening statements and 30 minutes per side for closing arguments.

JURORS: The Court will empanel eight jurors. Each side may exercise up to three peremptory challenges.

VOIR DIRE: The Court will conduct voir dire. The Court will allow 12 minutes of attorney voir dire per side. By July 13, 2016, the parties shall file a joint list of witnesses, experts, law firms, attorneys, support staff, and any other individuals involved with the case, along with trial dates and times, to be distributed during jury selection. The parties shall bring 32 hard copies of this list on August 8, 2016.

PRELIMINARY JURY INSTRUCTIONS: The Court will file a proposed set of preliminary jury instructions by July 27, 2016. The parties shall file any objections by July 29, 2016.

OTHER SUPPLEMENTAL FILINGS:

1. By July 8, 2016, Defendants shall provide copies of NectarLux’s exhibits to Plaintiff.
2. By July 13, 2016, the parties shall file either a stipulation concerning the authenticity of documents, or a statement of Plaintiff’s non-communication with Plaintiff’s counsel regarding the stipulation.
3. By July 13, 2016, Plaintiff’s counsel shall file a motion to withdraw as counsel.
4. By July 13, 2016, the parties shall file either a stipulation of dismissal with prejudice of Plaintiff’s account stated claim, or a status report of Plaintiff’s position on dismissal.

MOTIONS TO STRIKE: For the reasons stated on the record, the Court made the following rulings on the parties’ motions to strike:

1. Plaintiff’s motion to strike the expert report of Scott Evans is DENIED.
2. Defendants’ motion to strike the expert report of Bonnie Goldsmith is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: July 7, 2016



LUCY H. KOH
United States District Judge