

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PEPPER, N.A.,  
Plaintiff,  
v.  
EXPANDI, INC., et al.,  
Defendants.

Case No.15-cv-04066-NC

**ORDER TO SHOW CAUSE RE:  
JOINT TRIAL READINESS BINDER**

The Court has received the parties' separate trial binder submissions. From these submissions, it is unclear which version is the most updated, and whether the parties followed the Court's instructions to meet and confer. The parties are reminded that the pretrial preparation order required a joint trial binder, and for the parties to jointly propose several categories of documents, such as jury instructions. Additionally, no trial binder has been filed on ECF by the 12:00 p.m. deadline. Finally, defendants have provided the Court with an exhibit list, but not with the exhibits.

Thus, the Court orders the following:

1. The parties must file the contents of their trial binders (except not the trial exhibits) on ECF immediately.
2. Defendants must provide 2 copies of their exhibits to the Court by Friday, May 6 at 12:00 p.m.

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3. The parties must further meet and confer to prepare and file the following by Friday, May 6 at 12:00 p.m.:
- a. stipulated summary of the case
  - b. stipulations of fact
  - c. joint jury instructions
  - d. a joint verdict form

If the parties cannot agree on a particular instruction, then in one document, they must note the disagreement and state each parties' position.

**IT IS SO ORDERED.**

Dated: May 4, 2016

  
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NATHANAEL M. COUSINS  
United States Magistrate Judge