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8	UNITED STATES DISTRICT COURT		
9	SOUTHERN DISTRICT OF CALIFORNIA		
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11	GLEN WILSON,	Civil No. 08cv2061-L(JMA)	
12	Plaintiff,	ORDER REJECTING PROPOSED PRETRIAL ORDER AND	
13	V.	CONTINUING PRETRIAL CONFERENCE	
14	SEARS, ROEBUCK AND CO.,		
15	Defendant.		

In this disability discrimination action the parties lodged a proposed Pretrial Conference
Order pursuant to Civil Local Rule 16.1(f)(6). For the reasons which follow, the proposed
pretrial order is **REJECTED** and the final pretrial conference is **CONTINUED**.

As required by Civil Local Rule 16.1(f)(6)(c), the proposed pretrial order includes two sections, one for issues of fact and one for issues of law which remain to be litigated. The section for issues of fact includes duplications throughout. Compare, for example, issues of fact numbered 13 and 14, 15 and 18, and 16, 17, 20 and 38. (Proposed Pretrial Conference Order at 5-7.) Moreover the section does not appear to be organized in any logical fashion. Finally, it is not clear whether issues of fact 1 through 6 are undisputed or a presented as issues to be decided at trial. (*Id.* at 4.)

The section for issues of law includes several issues which are listed as issues of fact. For example, issues of law one through 5 are also listed as issues of fact. (*Cf. id.* at 33-3with *id.* at 4-

08cv2061

7.) Based on the foregoing, the proposed pretrial order, as drafted, does not define the issues for
trial in a useful manner and is therefore **REJECTED**.

Furthermore, based on the proposed pretrial order, Plaintiff intends to introduce 294
exhibits and Defendant intends to introduce 95. The parties together intend to call more than 30
witnesses. Given the issues which remain in this case (*see* Order filed March 28, 2011), this
appears excessive.

In light of the foregoing, the parties shall meet and confer in person to draft a new
proposed pretrial order and examine their proposed witness and exhibit lists with a view to
significantly paring them down. With respect to the exhibits, the parties are also encouraged to
resolve any admissibility issues which may be susceptible to resolution ahead of time, such as,
for example, authenticity and business records exception. In the revised exhibit list, the parties
shall not include multiple documents in the same exhibit; and they must follow Civil Local Rule
16.1(f)(6)(c)(VII).

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Based on the foregoing, it is hereby **ORDERED** as follows:

1. The proposed pretrial order dated June 30, 2011 is hereby **REJECTED**.

16 2. The parties shall meet and confer in person to prepare a revised proposed pretrial order
17 in compliance with Civil Local Rule 16.1(f)(6)(c) and this order.

3. No later than August 8, 2011, Plaintiff shall deliver to chambers three copies of a fully
executed revised proposed pretrial order.

4. The final pretrial conference currently set on this court's calendar for July 11, 2011 at
11:00 a.m. is hereby CONTINUED to August 15, 2011 at 11:00 a.m.

IT IS SO ORDERED.

23 DATED: July 6, 2011

M. Jame

United States District Court Judge

COPY TO:

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HON. JAN M. ADLER
27 UNITED STATES MAGISTRATE JUDGE

28 ALL PARTIES/COUNSEL