

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

FILED  
13 MAY 28 AM 8:26  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

ELOY OLIVAS and ELVIRA  
OLIVAS,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,  
OFFICER CHARLES JONES, and  
DOES 2-20,

Defendants.

CASE NO. 11cv2606-WQH-  
WMc

ORDER

HAYES, Judge:

On May 24, 2013, the Court held a pretrial conference in this case.

IT IS HEREBY ORDERED:

1. A jury trial in this matter is set for **October 1, 2013 at 9:00 A.M.** in Courtroom 14B. At trial, each side shall have a total of ten (10) hours to present its case.

2. The briefing schedule for the parties' motions in limine and/or *Daubert* motions is as follows: the parties shall file their moving papers on or before **August 22, 2013**, file their oppositions on or before **September 5, 2013**, and file their replies on or before **September 12, 2013**. The Court will hear oral argument on the motions in limine and/or *Daubert* motions on **September 19, 2013 at 2:00 P.M.** in Courtroom 14B.

- 1           3.    The parties shall file their jury instructions as follows:
- 2           a.    On or before **August 15, 2013**, the parties shall serve their
- 3           proposed jury instructions on each other. The parties shall then meet,
- 4           confer, and jointly file a complete set of agreed-upon instructions on or
- 5           before **August 22, 2013**.
- 6           b.    If the parties cannot agree upon one complete set of instructions,
- 7           they are required to file, on or before **August 22, 2013**, a set of the
- 8           agreed-upon instructions, and a supplemental set of instructions which are
- 9           not agreed upon.
- 10          c.    The agreed-upon instructions and any supplemental instructions not
- 11          agreed upon shall state the number of the proposed instruction, the
- 12          instruction itself, and any authority supporting the instruction. If any
- 13          instructions are pattern instructions, the instruction shall cite the source
- 14          of the instruction.
- 15          d.    The parties shall clearly indicate any modifications of instructions
- 16          from statutory authority, Ninth Circuit pattern instructions, or CACI
- 17          pattern instructions and include any authority supporting the modification.
- 18          e.    In the event that the parties file a supplemental set of instructions
- 19          not agreed upon, the party opposing the not-agreed-upon instructions shall
- 20          file its objections to the instructions in writing on or before **September**
- 21          **5, 2013**. Any objection shall contain a concise statement of argument
- 22          concerning the objection, including citations to authority.
- 23          f.    On or before **August 22, 2013**, the parties shall email the agreed-
- 24          upon instructions and any supplemental instructions not agreed upon in
- 25          WordPerfect or Word format to [efile\\_hayes@casd.uscourts.gov](mailto:efile_hayes@casd.uscourts.gov).
- 26          g.    At the motion-in-limine hearing on **September 19, 2013**, counsel
- 27          shall be prepared to discuss the instructions.
- 28          4.    The parties shall jointly file a proposed verdict form on or before **August**

1 **22, 2013.** If the parties cannot agree on a joint proposed verdict form, each party shall  
2 file a separate verdict form along with written objections to the other party's proposed  
3 verdict form on or before **August 22, 2013.**

4 5. The parties shall file proposed voir dire questions on or before **August 22,**  
5 **2013.**

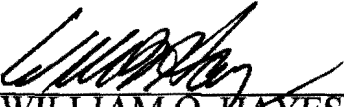
6 6. The parties shall file and serve trial briefs on or before **August 22, 2013.**  
7 The trial briefs shall summarize the parties' theories of the case, the applicable  
8 standards of law, and what they expect the evidence to show.

9 7. The parties shall file a joint statement of the case on or before **August 22,**  
10 **2013.** The statement should be brief and concise, as the Court will read it to the jury  
11 at the outset of the trial.

12 8. The parties shall notify the law clerk at least **seven (7) days** prior to the  
13 date of any hearing or trial if they intend to use any special equipment, such as video  
14 projectors, slide projectors, or tape recorders. The parties shall prepare and e-mail to  
15 the Court a proposed order listing all such equipment and the dates that such equipment  
16 will be brought into the Courtroom. The parties must bring a copy of the signed order  
17 allowing extra equipment to present to Court security on the day of the hearing/trial.  
18 Without a copy of the signed order, counsel will not be allowed to enter the Court with  
19 the equipment.

20 9. On or before **September 24, 2013,** the parties shall provide the Court with  
21 a copy of each exhibit in a binder with tabs. The parties shall maintain the original  
22 exhibits. On the first day of trial, each party shall provide the Courtroom Deputy with  
23 two copies of its witness and exhibit lists in the form specified in Civil Local Rule  
24 16.1(f)(2)(c) and (d).

25 Dated: 5/27/13

26   
27 WILLIAM Q. HAYES  
28 UNITED STATES DISTRICT JUDGE