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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ART COHEN,

Plaintiff,

v.

DONALD J. TRUMP,

Defendant.

Civil No. 13-CV-2519-GPC (WVG)

ORDER GRANTING JOINT
MOTION TO MODIFY CASE
MANAGEMENT CONFERENCE
ORDER REGARDING PRETRIAL
CONFERENCE; **SECOND
AMENDED CASE
MANAGEMENT CONFERENCE
ORDER**

[DOC. NO. 208]

I. BACKGROUND

On November 12, 2015, this Court issued a Case Management Conference Order. (Doc. No. 149.) Among other deadlines, the Court set a pretrial conference to be held before the Honorable Gonzalo P. Curiel, United States District Judge, on June 17, 2016. *Id.* at 5.

On May 18, 2016, Defendant filed an *Ex Parte* Application to Continue Pretrial Disclosure Filings Until the Court Decides the Dispositive Motions in this Case. (Doc. No. 203.) In his *Ex Parte* Application, Defendant asked the Court to vacate the pretrial disclosure requirements until it issues a ruling on Defendant’s motion for summary judgment, motion to decertify the class, and the parties’ five motions to exclude evidence related to expert witnesses. *Id.* at 2. Defendant also asked the Court to vacate the June 17, 2016, pretrial conference before Judge Curiel. *Id.* On May 20, 2016, Plaintiff filed an

1 Opposition to Defendant's *Ex Parte* Application. (Doc. No. 205.) On May 22, 2016,
2 Defendant filed a Reply in Support of his *Ex Parte* Application. (Doc. No. 206.)

3 On May 24, 2016, this Court granted in part and denied in part Defendant's *Ex Parte*
4 Application. (Doc. No. 207.) The Court continued the pretrial conference to August 12,
5 2016, at 1:30 p.m., before Judge Curiel. *Id.* at 4.

6 On May 26, 2016, the parties filed a Joint Motion to Modify the Case Management
7 Conference Order Regarding the August 12, 2016 Pretrial Conference. (Doc. No. 208.) In
8 their Joint Motion, the parties state that Defense counsel will be unavailable from August 5
9 through August 21, 2016, due to a previously scheduled family trip. *Id.* at 1. They ask the
10 Court to continue the pretrial conference to August 24, 25, or 26. *Id.* For good cause shown,
11 the Court hereby **GRANTS** the parties' Joint Motion and continues the pretrial conference
12 to August 24, 2016, at 1:00 p.m. The second amended schedule is set forth below. No other
13 dates have changed.

14 **II. SECOND AMENDED SCHEDULING ORDER**

15 It is hereby ORDERED:

16 1. All parties or their counsel shall fully comply with the Pretrial Disclosure
17 requirements of Fed. R. Civ. P. 26(a)(3) on or before **July 22, 2016**. **Failure to comply with**
18 **these disclosures requirements could result in evidence preclusion or other sanctions**
19 **under Fed. R. Civ. P. 37.**

20 2. Counsel shall meet together and take the action required by Local Rule
21 16.1(f)(4) on or before **July 29, 2016**. At this meeting, counsel shall discuss and attempt to
22 enter into stipulations and agreements resulting in simplification of the triable issues.
23 Counsel shall exchange copies and/or display all exhibits other than those to be used for
24 impeachment. The exhibits shall be prepared in accordance with Local Rule 16.1(f)(4)(c).
25 Counsel shall note any objections they have to any other parties' Pretrial Disclosures under
26 Fed. R. Civ. P. 26(a)(3). Counsel shall cooperate in the preparation of the proposed pretrial
27 conference order.

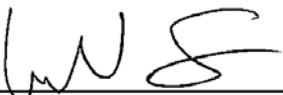
1 3. The proposed final pretrial conference order, including objections they have to
2 any other parties' Fed. R. Civ. P. 26(a)(3) Pretrial Disclosures shall be prepared, served and
3 lodged with the Clerk of the Court on or before **August 5, 2016**, and shall be in the form
4 prescribed in and in compliance with Local Rule 16.1 (f)(6). Counsel shall also bring a court
5 copy of the pretrial order to the pretrial conference.

6 4. The final pretrial conference shall be held before the Honorable Gonzalo P.
7 Curiel, United States District Judge, on **August 24, 2016**, at **1:00 p.m.**, in Courtroom 2D.

8 5. The dates and times set forth herein will not be further modified except for good
9 cause shown.

10 IT IS SO ORDERED.

11 DATED: May 26, 2016

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14 Hon. William V. Gallo
15 U.S. Magistrate Judge
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