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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JOSE TREJO, et al.,  
  
Plaintiffs,  
  
v.  
  
COUNTY OF IMPERIAL, et al.,  
  
Defendants.

Case No.: 20-cv-1465-DDL

**AMENDED SCHEDULING ORDER**

On November 8, 2023, the Court held a Status Conference to discuss the pretrial and trial schedule with the parties. For the reasons discussed at the conference, the Court **ORDERS** as follows:

1. Counsel for the parties must appear for a Status Conference on **December 13, 2023** at **3:30 p.m.** by videoconference. A videoconference link will be provided in advance of the Status Conference.

2. ***Motions in Limine.*** All motions *in limine* must be filed by not later than **December 19, 2023**. Each side (i.e., Plaintiffs, the County, and CFMG) must file its motions *in limine* as a single document of no more than 30 pages. Each discrete motion therein must be consecutively numbered. Briefs in opposition must also be filed as a single document not to exceed 30 pages and must be filed by not later than **January 2, 2024**. No replies are permitted.

1           3.     **Daubert motions.** All *Daubert* motions must be filed by not later than  
2 **December 19, 2023**. Each side (see above) must file its *Daubert* motions as a single  
3 document of no more than 25 pages. Briefs in opposition must be filed by not later than  
4 **January 2, 2024** and must not exceed 25 pages. Replies must be filed by not later than  
5 **January 9, 2024** and must not exceed 10 pages.

6           4.     The Court will hold a hearing on the parties' *Daubert* motions and motions *in*  
7 *limine* on **January 19, 2024** at **1:30 p.m.** Instructions for in-person and remote  
8 appearances will follow.

9           5.     Counsel shall file their Memoranda of Contentions of Fact and Law and take  
10 any other action required by Civil Local Rule 16.1(f)(2) by not later than **January 2, 2024**.

11           6.     Counsel shall comply with the pretrial disclosure requirements of Federal  
12 Rule of Civil Procedure 26(a)(3) by not later than **January 2, 2024**. Failure to comply  
13 with these disclosure requirements could result in evidence preclusion or other sanctions  
14 under Federal Rule of Civil Procedure 37.

15           7.     Counsel shall meet and take the action required by Local Rule 16.1(f)(4) by  
16 not later than **January 5, 2024**. Counsel shall work cooperatively to prepare a final pretrial  
17 conference order, which addresses the following:

18           a.     A joint neutral statement to be read to the jury, not in excess of one  
19 page, of the nature of the case and the claims and defenses.

20           b.     A list of the causes of action to be tried, referenced to the complaint.  
21 For each cause of action, the order shall succinctly list the elements of the  
22 claim, damages/remedies, and any defenses. Any cause of action in the  
23 complaint which is not listed shall be dismissed with prejudice.

24           c(1). A list of each witness counsel expect to call at trial with a brief  
25 statement, not exceeding four sentences, of the substance of the witnesses'  
26 testimony.

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1 c(2). A list of each expert witness counsel expect to call at trial with a  
2 brief statement, not exceeding four sentences, of the substance of the  
3 witnesses' testimony.

4 c(3). A list of additional witnesses, including experts, counsel do not  
5 expect to call at this time but reserve the right to call at trial along with a  
6 brief statement, not exceeding four sentences, of the substance of the  
7 witnesses' testimony.

8 d(1). A list of all exhibits that counsel expect to offer at trial with a one-  
9 sentence description of the exhibit. All exhibits will be identified  
10 numerically. Plaintiff's exhibits will be numbered 1 through 99; the  
11 County's exhibits will be numbered 100 through 199; and CFMG's  
12 exhibits will be numbered 200 through 299.

13 d(2). A list of all other exhibits that counsel do not expect to offer at this  
14 time but reserve the right to offer if necessary at trial with a one-sentence  
15 description of the exhibit.

16 e. A statement of all facts to which the parties stipulate. This statement  
17 shall be on a separate page and will be read to and provided to the jury at  
18 the beginning of trial.

19 f. A list of all deposition transcripts by page and line, or videotape  
20 depositions by section, that will be offered at trial.

21 g. Estimated number of hours per side for trial.

22 h. Counsel will note any objections they have to any other parties'  
23 Federal Rules of Civil Procedure 26(a)(3) pretrial disclosures.

24 8. Counsel for Plaintiff will be responsible for preparing the Proposed Pretrial  
25 Order and arranging the meetings of counsel pursuant to Civil Local Rule 16.1(f). By not  
26 later than **January 8, 2024**, Plaintiff's counsel must provide opposing counsel with the  
27 Proposed Pretrial Order for review and approval. Opposing counsel must communicate  
28 promptly with Plaintiff's attorney concerning any objections to form or content of the

1 Proposed Pretrial Order, and both Parties shall attempt promptly to resolve their  
2 differences, if any, concerning the Proposed Pretrial Order.

3 9. The Proposed Final Pretrial Conference Order, including objections to any  
4 other Party's Federal Rule of Civil Procedure 26(a)(3) Pretrial Disclosures, shall be  
5 prepared, served, and lodged with the undersigned's chambers by not later than **January**  
6 **12, 2024**, and shall be in the form prescribed by and comply with Civil Local Rule  
7 16.1(f)(6).

8 10. The final Pretrial Conference is scheduled on the calendar of the **Honorable**  
9 **David D. Leshner** on **January 19, 2024** at **1:30 p.m.**

10 11. Trial will begin on **January 29, 2024** at **9:00 a.m.**

11 12. The dates and times set forth herein will not be modified except for good cause  
12 shown.

13 **IT IS SO ORDERED.**

14 Dated: November 14, 2023



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17 Hon. David D. Leshner  
18 United States Magistrate Judge  
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