

1 Pursuant to Local Rule 16-14, the parties in every case must select a settlement
2 procedure. The final meeting with the parties' settlement officer must take place no later than 45
3 days before the Final Pretrial Conference.
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5 **FINAL PRE-TRIAL CONFERENCE**
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7 This case has been placed on calendar for a Final Pre-Trial Conference pursuant to
8 Fed.R.Civ.P. 16 and 26. Unless excused for good cause, each party appearing in this action shall
9 be represented at the Final Pre-Trial Conference, and all pre-trial meetings of counsel, by the
10 attorney who is to have charge of the conduct of the trial on behalf of such party.

11 STRICT COMPLIANCE WITH THE REQUIREMENT OF FED.R.CIV.P. 26 AND
12 LOCAL RULES ARE REQUIRED BY THE COURT. Therefore, carefully prepared
13 Memoranda of Contentions of Fact and Law, a Joint Witness List, and Joint Exhibit List shall be
14 submitted to the Court. The Joint Witness List shall contain a brief statement of the testimony
15 for each witness, **what makes the testimony unique** from any other witness testimony, and the
16 time estimate for such testimony. The Joint Exhibit List shall contain any objections to
17 authenticity and/or admissibility to the exhibit(s) and the reasons for the objections.

18 The Memoranda of Contentions of Fact and Law, Witness List and Exhibit List are due
19 twenty-one (21) days before the Final Pre-Trial Conference.

20 If expert witnesses are to be called at trial, each party shall list and identify their
21 respective expert witnesses. Failure of a party to list and identify an expert witness may
22 preclude a party from calling an expert witness at trial. If expert witnesses are to be called at
23 trial, the parties shall exchange at the Final Pre-Trial Conference short narrative statements of
24 the qualifications of the expert and the testimony expected to be elicited at trial. If reports of
25 experts to be called at trial have been prepared, they shall be exchanged at the Final Pre-Trial
26 Conference but shall not substitute for the narrative statements required.
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1 The parties shall be prepared to submit to the Court, and to exchange among themselves,
2 supplemental findings of fact and conclusions of law during the course of the trial, with respect
3 to which the same underlining procedure may be ordered.

4 **3. Trial Exhibits**

5 Counsel are to prepare their exhibits for presentation at the trial by placing them in
6 binders which are indexed by exhibit number with tabs or dividers on the right side. Counsel
7 shall submit to the Court an original and one copy of the binders. The exhibits shall be in a
8 three-ring binder labeled on the spine portion of the binder as to the volume number and contain
9 an index of each exhibit included in the volume. Exhibits must be numbered in accordance with
10 Fed.R.Civ.P. 16, 26 and the Local Rules.

11 Exhibit list shall indicate which exhibits are objected to, the reason for the objection, and
12 the reason it is admissible. Failure to object will result in a waiver of objection.

13 The Court requires that the following be submitted to the Courtroom Deputy Clerk on the
14 first day of trial:

- 15 • The original exhibits with the Court's exhibit tags shall be stapled to the front of
16 the exhibit on the upper right-hand corner with the case number, case name, and
17 exhibit number placed on each tag. Exhibit tags can be obtained from the Clerk's
18 Office, Room G-8, 312 North Spring Street, Los Angeles, CA 90012.
- 19 • One bench book with a copy of each exhibit for use by the Court, tabbed with
20 numbers as described above. (Court's exhibit tags not necessary.)
- 21 • Three (3) copies of exhibit lists.
- 22 • Three (3) copies of witness lists in the order in which the witness may be called to
23 testify.
- 24 • All counsel are to meet not later than ten (10) days before trial and to stipulate so
25 far as is possible as to foundation, waiver of the best evidence rule, and to those
26 exhibits which may be received into evidence at the start of trial. The exhibits to
27 be so received will be noted on the copies of the exhibit lists.

- 1 • Any items that have not been admitted into evidence and are left in the courtroom
2 overnight without prior approval, will be discarded.

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4 **TRIAL ON THE BRIEFS**

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6 **1. Briefing Schedule**

7 The parties shall timely file Opening Briefs, Oppositions and Replies based on the
8 briefing schedule set by the Court.

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10 **2. Joint Separate Statement**

11 On the date Oppositions are due, the parties shall file a Joint Separate Statement of
12 Undisputed and Disputed Facts. The statement shall contain the following: (1) a list of
13 undisputed facts, including citations to the portion(s) of the administrative record that support
14 those facts, and (2) a list of disputed fact, which also include citations to the administrative
15 record that support each parties' disputed assertions of fact.

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R. Gary Klausner, Judge
19 UNITED STATES DISTRICT COURT

20 Rev. Feb. 2010