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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

DOCUMENT SECURITY SYSTEMS, INC.

Plaintiff(s),

v.

CREE, INC.

Defendant(s).

CASE NO:
2:17-cv-04263-JVS-JCG

I. ORDER FOR JURY TRIAL
SETTING DATES FOR:

Discovery Cut-Off:
November 23, 2018

Pre-Trial Conference:

June 3, 2019
at 11:00 AM

JURY TRIAL:
June 18, 2019
at 08:30 AM

II. Order for Preparation
for JURY TRIAL

III. Order Governing Attorney and
Party Conduct at trial.

I.

SCHEDULING:

1. In General: All motions to join other parties or to amend the pleadings shall be filed and served within sixty (60) days of the date of this order

1 and noticed for hearing within ninety (90) days hereof. All unserved parties shall
2 be dismissed no later than the date set for the Final Pre-Trial Conference.

3
4 2. Motions for Summary Judgment or Partial Summary Judgment:

5 Motions for summary judgment or partial summary judgment shall be heard no
6 later than the last day for hearing motions, as set forth in the accompanying minute
7 order.

8
9 3. Motion Index: If any motion or set of motions concurrently

10 noticed involves more than three pleadings, the moving party shall file within
11 three days of filing an index of the moving papers (e.g., notice, memorandum of
12 Points and authorities, declaration) with the names of each pleading and the docket
13 number. Within three days of filing reply papers, the moving party shall file an
14 updated index of all moving papers, all opposition papers, and all reply papers
15 with the name of each pleading and the docket number. Where redacted pleadings
16 have been filed, the index should refer to the undredacted version.

17
18 4. Discovery Cut-Off: The Court has established a cut-off date for
19 discovery in this action. All discovery is to be completed on, or prior to, the cut-
20 off date. Accordingly, the following discovery schedule shall apply to this case:

21
22 A. Depositions: All depositions shall be scheduled to
23 commence at least five (5) working days prior to the discovery cut-off date. All
24 original depositions to be used in trial shall be lodged with the Courtroom deputy
25 on the first day of trial or such earlier date as the Court may order.

26
27 B. Interrogatories: All interrogatories must be served at least
28 forty-five (45) days prior to the discovery cut-off date. The Court will not approve

1 stipulations between counsel that permit responses to be served after the cut-off
2 date except in extraordinary circumstances.

3
4 C. Production of Documents, etc.: All requests for production,
5 etc., shall be served at least forty-five (45) days prior to the discovery cut-off date.
6 The Court will not approve stipulations between counsel that permit responses to
7 be served after the cut-off date except in extraordinary circumstances.

8
9 D. Request for Admissions: All requests for admissions shall
10 be served at least forty-five (45) days prior to the discovery cut-off date. The
11 Court will not approve stipulations between counsel that permit responses to be
12 served after the cut-off date except in extraordinary circumstances.

13
14 E. Discovery Motions: Any motion respecting the inadequacy
15 of responses to discovery must be filed and served not later than ten (10) days
16 after the discovery cut-off date. Whenever possible, the Court expects counsel to
17 resolve discovery problems among themselves in a courteous, reasonable, and
18 professional manner. Repeated resort to the Court for guidance in discovery is
19 unnecessary and may result in the Court appointing a Special Master at the joint
20 expense of the parties to resolve discovery disputes. The Court expects that
21 counsel will strictly adhere to the Civility and Professional Guidelines adopted by
22 the United States District Court for the Central District of California.

23
24 F. Disclosure of Expert Testimony: The above discovery cut
25 off date includes expert discovery, unless otherwise ordered by Court, and the
26 Court orders the sequence of disclosures provided by Fed. R. Civ. Proc.
27 26(a)(2)(C), unless the parties otherwise stipulate in writing and obtain the Court's
28 approval.

1 **FINAL PRE-TRIAL CONFERENCE:**

2
3 This case has been placed on calendar for a Final Pre-Trial
4 Conference pursuant to Fed. R. Civ. P. 16. Strict compliance with the
5 requirements of the Fed. R. Civ. P. and Local Rules are required by the Court.
6

7 **II.**

8
9 **ORDER FOR PREPARATION FOR JURY TRIAL, MOTIONS,**
10 **INSTRUCTIONS, AND EXHIBITS**

11
12 The Court ORDERS that all counsel comply with the following in
13 their preparation for trial:

14
15 1. **MOTIONS *IN LIMINE*:**

16
17 All motions *in limine* must be filed and served a minimum of four (4)
18 weeks prior to the scheduled pretrial date in accordance with Local Rule 6. Each
19 motion should be separately filed and numbered. All opposition documents must
20 be filed and served at least three (3) weeks prior to the scheduled pretrial date. All
21 reply documents must be filed and served at least two (2) weeks prior to the
22 scheduled pretrial date. Motions *in limine* should be used to raise legitimate
23 evidentiary issues, and not as veiled motions for summary adjudication.
24

25 The Court limits the number of *in limine* motions which a party or
26 group of affiliated parties may file to four, not including (1) any *in limine* motion
27 which seeks an exclusionary sanction under Rule 37(c)(1) of the Federal Rules of
28

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1 Civil Procedure and (2) any *in limine* motion which invokes the Court's power
2 under Rule 702 of the Federal Rules of Evidence and Daubert v. Merrell Dow
3 Pharmaceuticals, 509 U.S. 579, 597 (1993), to exclude or limit expert testimony.
4 Motions made on the latter two grounds shall prominently state the basis for the
5 motion in the title of the motion on the caption page. Any party desiring to tender
6 any other *in limine* motions shall file an *ex parte* application no later than seven
7 days prior to the due date for such motions, attaching the proposed motion and
8 making a showing why it is imperative that the issue be dealt with by a motion *in*
9 *limine*.

10
11 The Court deems the following motions to have been made and
12 granted:

13
14 • Exclusion of evidence of settlement talks, offers of compromise and
15 similar evidence excludable under Federal Rule of Evidence 408 without an offer
16 of proof first made outside the presence of the jury.

17
18 • Exclusion of expert opinions not disclosed under Rule 26(a)(2) of
19 the Federal Rule of Civil Procedure or otherwise subjected to examination at the
20 expert's deposition.

21
22 All motions *in limine* will be heard on the scheduled pretrial date,
23 unless the Court otherwise orders.

24
25 2. JURY INSTRUCTIONS, VERDICT FORMS, and VOIR:
26 DIRE:

27
28 *Jury Instructions*. Thirty days prior to trial, counsel shall meet and

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