

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

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

NUVASIVE, INC., a Delaware corporation,

Plaintiff,

v.

ALPHATEC HOLDINGS, INC., a Delaware corporation and ALPHATEC SPINE, INC., a California corporation,

Defendants.

Case No. 3:18-CV-00347-CAB-MDD

**ORDER RESETTING PRETRIAL
AND TRIAL DATES**

On January 3, 2022, at the request of both parties the Court vacated the trial dates for this matter due to COVID-related concerns. Counsel was directed to provide alternate dates. On January 7, 2022, counsel jointly requested trial dates in early March.

Trial in this matter is therefore rescheduled to begin on **March 1, 2022**, at 8:45 a.m. in Courtroom 15A of the Carter-Keep Courthouse. It will continue **March 2-4, 7-10, 2022**, as needed. After the first day, the daily trial schedule will be as follows: 8:30 a.m. to 3:00 p.m., with two 25–30 minute breaks, no lunch break. Each side will have 20 hours to put on its case, including opening and closing statements.

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

The Court also sets the following schedule for remaining pretrial submissions:

1. A list of all witnesses intended to be called at trial (live or by deposition) to be read to the jury venire panel for purposes of ascertaining any potential conflicts, will be provided to the Court by **February 22, 2022**.
2. One set of Plaintiff's Exhibits and Defendants' Exhibits expected to be introduced at trial, in three-ring binders will be delivered to the Court by **February 22, 2022**. Voluminous exhibits may be provided in electronic format.
3. Court will be notified of witnesses to be called and exhibits to be used during trial in accordance with the schedule set forth in Section VI, paragraph C of the Final Pretrial Order.

IT IS SO ORDERED.

Dated: January 7, 2022



Hon. Cathy Ann Bencivengo
United States District Judge