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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GOTV STREAMING, LLC

Plaintiff(s),

v.

NETFLIX, INC.

Defendant(s).

CASE NO:

2:22-cv-07556-RGK-SHK

ORDER FOR JURY TRIAL

Pretrial Conference:

October 2, 2023 at 09:00 AM

Jury Trial Date:

October 17, 2023 at 09:00 AM

UNLESS OTHERWISE ORDERED BY THE COURT, THE FOLLOWING
RULES SHALL APPLY:

SCHEDULING

1. In General

All motions to join other parties or to amend the pleadings shall be filed by
the deadline that the Court established at the Scheduling Conference.

Motions for summary judgment or partial summary judgment shall be filed as
soon as practical, however, in no event later than the motion cut-off date.

2. Discovery Cut-Off

The Court has established a cut-off date for discovery in this action. All
discovery shall be complete by the discovery cut-off date specified in the

EXHIBIT

1 Scheduling Order. **This is not the date by which discovery requests must be**
2 **served; it is the date by which all discovery is to be completed.**

3 In an effort to provide further guidance to the parties, the Court notes the
4 following:

5 a. Depositions

6 All depositions shall be scheduled to commence sufficiently in advance of the
7 discovery cut-off date to permit their completion and to permit the deposing party
8 enough time to bring any discovery motion concerning the deposition prior to the
9 cut-off date.

10 b. Written Discovery

11 All interrogatories, requests for production of documents, and requests for
12 admission shall be served sufficiently in advance of the discovery cut-off date to
13 permit the discovering party enough time to challenge (via motion practice)
14 responses deemed to be deficient.

15 c. Discovery Motions

16 Whenever possible, the Court expects the parties to resolve discovery
17 problems among themselves in a courteous, reasonable and professional manner.
18 The Court expects that counsel will strictly adhere to the Civility and Professional
19 Guidelines adopted by the United States District Court for the Central District of
20 California in July, 1995.

21 Discovery matters are referred to a United States Magistrate Judge. **Any**
22 **motion challenging the adequacy of responses to discovery must be filed**
23 **timely, and served and calendared sufficiently in advance of the discovery**
24 **cut-off date to permit the responses to be obtained before that date, if the**
25 **motion is granted.**

26 Consistent resort to the Court for guidance in discovery is unnecessary and
27 will result in the appointment of a Special Master at the joint expense of the parties
28 to resolve discovery disputes.

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**TRIAL PREPARATION FOR JURY TRIAL
MOTIONS, INSTRUCTIONS AND EXHIBITS**

THE COURT ORDERS that all counsel comply with the following in their preparation for trial:

1. MOTIONS IN LIMINE:

All motions in limine must be filed and served a minimum of forty-five (45) days prior to the scheduled trial date. Each motion should be separately filed and numbered. All opposition documents must be filed and served at least twenty-five (25) days prior to the scheduled trial date. All reply documents must be filed and served at least ten (10) days prior to the scheduled trial date.

All motions in limine will be ruled upon on or before the scheduled trial date and should not be noticed for motion on any date other than the assigned trial date.

2. JURY INSTRUCTIONS/SPECIAL VERDICT FORMS

Thirty-five (35) days before trial, plaintiff shall serve plaintiff's proposed jury instructions and special verdict forms on defendant. Twenty-eight (28) days before trial, defendant shall serve on plaintiff defendant's objections to plaintiff's instructions together with any additional instructions defendant intends to offer. Twenty-one (21) days before trial, plaintiff shall serve on defendant plaintiff's objections to defendant's instructions. Twenty-one (21) days before trial, counsel are ordered to meet and confer to attempt to come to agreement on the proposed jury instructions. The parties shall make every attempt to agree upon the jury instructions before submitting them to the Court. It is expected that counsel will agree on the substantial majority of jury instructions, particularly where patent instructions are involved.

Sixteen (16) days before trial, counsel shall file with the Court a JOINT set of jury instructions on which there is agreement. Defendant's counsel has the burden of preparing the joint set of jury instructions. At the same time each party shall file its proposed jury instructions which are objected to by any other

1 party, accompanied by points and authorities in support of those instructions.

2 When the parties disagree on an instruction, the party opposing the instruction
3 must attach a short statement (one to two paragraphs) supporting the objection, and
4 the party submitting the instruction must attach a short reply supporting the
5 instruction. Each statement should be on a separate page and should follow directly
6 after the disputed instruction.

7 The parties ultimately must submit one document, or if the parties disagree
8 over any proposed jury instructions, three documents. The three documents shall
9 consist of: (1) a set of Joint Proposed Jury Instructions; (2) Plaintiff's Disputed Jury
10 Instructions; and (3) Defendant's Disputed Jury Instructions. Any disputed Jury
11 Instructions shall include the reasons supporting and opposing each disputed
12 instruction in the format set forth in the previous paragraph.

13 The Court directs counsel to use the instructions from the Manual of Model
14 Jury Instructions for the Ninth Circuit where applicable. Where California law is to
15 be applied and the above instructions are not applicable, the Court prefers counsel
16 to use the California Jury Instructions in either BAJI or CACI. If none of these
17 sources is applicable, counsel are directed to use the instructions in Devitt,
18 Blackmar and Wolff, Federal Jury Practice and Instructions.

19 Modifications of instructions from the foregoing sources (or any other form
20 instructions) must specifically state the modification made to the original form
21 instruction and the authority supporting the modification.

22 Each requested instruction shall be set forth in full; be on a separate page; be
23 numbered; cover only one subject or principle of law; not repeat principles of law
24 contained in any other requested instructions; and cite the authority for a source of
25 the requested instruction. In addition to the foregoing, each party shall file with the
26 Courtroom Deputy on the first day of trial a "clean set" of the aforesaid requested
27 duplicate jury instructions in the following form:

28 Each requested instruction shall be set forth in full; be on a separate page with the

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