

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  TELEPHONE: FAX NO. <i>(Optional):</i> ATTORNEY FOR (Name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE</b> <input type="checkbox"/> Butte County Courthouse <input type="checkbox"/> North Butte County Courthouse One Court Street, Oroville, CA 95965                      1775 Concord Avenue, Chico, CA 95928 (530) 532-7002    (530) 532-7002	
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER:	
<b>TRIAL READINESS CONFERENCE STATEMENT</b>	CASE NUMBER:

This form must be completed in full by an attorney for each represented party and by each non-represented party, filed at least five (5) full court days prior to the Trial Readiness Conference, and a copy provided to opposing counsel. All applicable exhibits are to be submitted to the clerk at the Trial Readiness Conference scheduled for \_\_\_\_\_ at \_\_\_\_:\_\_\_\_ a.m. p.m.

**Completion of this statement requires that counsel (or non-represented parties) have conducted a meaningful “meet and confer” conference.**

**1. CASE INFORMATION:**

1. Date Complaint Filed: \_\_\_\_\_
2. Attorney for Plaintiff: \_\_\_\_\_  
 Attorney for Plaintiff: \_\_\_\_\_  
 Attorney for Defendant: \_\_\_\_\_  
 Attorney for Defendant: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Has a jury been demanded?  Yes  No
  - a. If yes, by  Plaintiff or  Defendant?
  - b. If yes, have advance jury fees been paid?  Yes  No  
 If yes, date jury fees paid: \_\_\_\_\_
  - c. Do the parties stipulate to a jury of less than twelve?  Yes  No  
 If yes, to how many? \_\_\_\_\_

4. The estimate to try the entire case is \_\_\_\_\_ days. This estimate includes the time for all remaining pretrial motions, jury selection (if applicable), testimony of all witnesses for all parties, opening statements, final arguments, and jury instructions (if applicable). It assumes five to six hours of trial per day, but excludes any time for jury deliberations.

## **2. EXHIBITS APPENDED TO THIS STATEMENT:**

Check each item below and, unless inapplicable, attach the following exhibits as directed:

**Requests for Dismissal:**  Inapplicable  Appended as “Exhibit A: Request for Dismissal”

State any dismissals requested of parties or causes of action, and the party or parties making the request.

**Proposed Amendments:**  Inapplicable  Appended as “Exhibit B: Proposed Amendments”

State any requested amendments to the pleadings or pretrial orders, and the party or parties making the request.

**Causes of Action and Defenses:**  Appended as “Exhibit C: Causes of Action and Defenses”

Summarize each party’s causes of action and each party’s affirmative defenses (assuming that the dismissals and amendments referred to in Exhibits A and B are approved). Unlisted causes of action and defenses may be deemed dismissed.

**Issues of Law:**  Inapplicable  Appended as “Exhibit D: Issues of Law”

Summarize each issue of law that is disputed, stating each side’s contentions, and cite authority.

**Factual Stipulations:**  Inapplicable  Appended as “Exhibit E: Factual Stipulations”

State each fact that some or all of the parties have stipulated is true. Indicate the stipulating parties, and set forth each stipulation in a form suitable to be read to the jury. At the conference, the judge will require the parties to attempt in good faith to agree on as many factual issues as possible.

**Issues of Fact:**  Inapplicable  Appended as “Exhibit F: Issues of Fact”

Summarize each issue of fact that is disputed, stating each side’s contentions.

**Settlement:**  Inapplicable  Appended as “Exhibit G: Settlement”

State whether (if applicable) a mandatory settlement conference has been held.

If so, state the date of each conference and the name of the settlement conference judge.

If not, state (if true) that the parties have met, discussed the case, and attempted in good faith to reach a settlement.

State (in all cases) which of the following is true:

- (1) The parties believe the case can be settled;
- (2) The parties do not believe the case can be settled; or
- (3) At least one party believes that further discussion with a judge might facilitate settlement of the case.

**Discovery:**  Inapplicable  Appended as “Exhibit H: Discovery”

List all excerpts from depositions, responses to interrogatories, responses to requests for admissions, and other discovery responses that each party expects to offer at trial for any purpose other than impeachment. Each excerpt to be offered must be identified as to date, document, page number(s), and line number(s). For each excerpt, state the party offering it and whether the opposing parties stipulate to its admissibility; identify any party that objects to admissibility, and state the grounds for each objection.

State any issue that is expected to arise during trial relating to the introduction of discovered material, indicating each side’s contentions.

Unlisted discovery items are subject to exclusion at trial, except for true impeachment matters. Unstated objections are deemed waived except on a showing of good cause.

**Exhibits:**  Inapplicable  Appended as “Exhibit I: Exhibits”

List and briefly describe all exhibits each party intends to offer at trial, except exhibits to be used solely for impeachment. For each exhibit, state the party offering the exhibit and whether the opposing parties stipulate to its foundation and admissibility; identify any party that objects to foundation or admissibility, and state the grounds for each objection.

Unlisted exhibits are subject to exclusion at trial, except for true impeachment exhibits. Unstated objections are deemed waived except on a showing of good cause.

**Witnesses:**  Inapplicable  Appended as “Exhibit J: Witnesses”

List the names of all witnesses each party intends to call at trial, except witnesses to be used solely for impeachment. As to each witness, state the party calling the witness, the city in which the witness resides or, for expert witnesses, the city in which the expert witness’s office is located; whether the witness was deposed; a summary of the witness’s expected testimony; and an estimate of time required for direct and cross-examination. For each expert witness, also state his or her field of expertise.

Unlisted witnesses are subject to exclusion at trial, except for true impeachment witnesses.

**Glossary:**  Inapplicable  Appended as “Exhibit K: Glossary”

Provide a glossary of any technical or unusual terms expected to be used by any expert witness at trial.

**Judicial Notice:**  Inapplicable  Appended as “Exhibit L: Judicial Notice”

State each fact as to which a party requests the judge to take judicial notice. State the party making the request, the party opposing it, and each side’s contentions.

**Evidentiary Issues and Stipulations:**  Inapplicable  Appended as “Exhibit M: Evidentiary Issues and Stipulations”

Summarize each unusual evidentiary issue (not covered by another Exhibit or by a motion in limine referred to in Exhibit N) that is expected to arise during trial, stating each side’s contentions.

**Motions:**  Inapplicable  Appended as “Exhibit N: Motions”

List all motions remaining to be heard before trial, including all in limine motions anticipated for the entire trial. In limine motions should address the exclusion and admissibility of evidence as well as any legal issues that would require the jurors to be excused during the trial. In limine motions must be filed and served no later than (5) full court days prior to the Trial Readiness Conference (Local Rules 1.2 and 1.9).

**Trial Briefs:**  Inapplicable  Appended as “Exhibit O: Trial Briefs”

Trial briefs may set forth any information that will assist the judge.

**Calendar Conflicts:**  Inapplicable  Appended as “Exhibit P: Calendar Conflicts”

If it is anticipated that an attorney, party, or witness will ask to be excused from the trial at any time, state the person who will make that request, the dates affected, and the reason for the calendar conflict. State any other anticipated scheduling problems.

**3. ADDITIONAL EXHIBITS APPENDED FOR JURY TRIAL:**

**Voir Dire Questions:**  Inapplicable  Appended as “Exhibit Q: Voir Dire Questions”

List the voir dire questions that each party requests the judge to ask the jurors. Attach any proposed written questionnaire for the judge to submit to the jurors. If any party objects to a proposed question, identify that party and state the grounds for the objection.

**Case Statement:**  Inapplicable  Appended as “Exhibit R: Case Statement”

Provide a proposed case statement for the judge to read to the jurors at the beginning of the trial. This should identify the parties and state generally what each side claims, giving a brief overview of the case without being argumentative.

**Proposed Jury Instructions:**  Appended as “Exhibit S: Proposed Jury Instructions”

List the jury instructions that each party requests the judge to give. List CACI instructions in numerical order first, then special instructions with a brief description (e.g., “Duty to Mitigate”, “Alternative to BAJI 2.6”, etc.). Include a copy of each special instruction. If any party objects to a proposed instruction, identify that party and state the grounds for the objection.

Unlisted instructions are subject to exclusion at trial. Unstated objections are deemed waived except on a showing of good cause.

**Verdict Form:** *(Check one of the following five boxes.)*

- The parties agree that there shall be a general verdict.
- \_\_\_\_\_ requests a general verdict.
- The parties agree that there shall be a special verdict. The form of special verdict agreed on by the parties is appended as “Exhibit T: Verdict Form”.
- The parties agree that there shall be a special verdict, but disagree on its form. The forms proposed by the parties are appended as “Exhibit T: Verdict Form”.
- \_\_\_\_\_ requests a special verdict in the form appended as “Exhibit T: Verdict Form”.

**4. OTHER APPENDED EXHIBITS:**

List below (as Exhibits U, V, W, X, Y, Z, AA, BB, etc.) and briefly describe any other exhibits being appended to this Civil Trial Readiness Conference Statement.

**5. OTHER MATTERS TO COVER AT CONFERENCE:**

Summarize any other matters to be considered at the trial readiness conference.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for  Plaintiff  Defendant