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

10 CROSSFIT, INC., a Delaware
11 corporation,

12 Plaintiff,

13 vs.

14 NATIONAL STRENGTH AND
15 CONDITIONING ASSOCIATION, a
16 Colorado corporation,

17 Defendant.
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CASE NO. 14cv1191-JLS(KSC)

**ORDER GRANTING JOINT
MOTION TO EXTEND EXPERT
DISCOVERY AND OTHER
RELATED DATES [Doc. No. 66]**

**THIRD AMENDED SCHEDULING
ORDER REGULATING
DISCOVERY AND OTHER PRE-
TRIAL PROCEEDINGS**

19 Before the Court is the parties' Joint Motion to Extend Discovery Dates. [Doc.
20 No. 52.] For the reasons stated in the parties' Joint Motion and for good cause shown,
21 the parties' Joint Motion is GRANTED. Accordingly,

22 IT IS HEREBY ORDERED THAT:

23 1. On or before February 18, 2016, each party shall comply with the
24 disclosure provisions in Rule 26(a)(2)(A) and (B) of the Federal Rules of Civil
25 Procedure. This disclosure requirement applies to all persons retained or specially
26 employed to provide expert testimony, or whose duties as an employee of the party
27 regularly involve the giving of expert testimony.

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2. Any party shall supplement its disclosure regarding contradictory or rebuttal evidence under Rule 26(a)(2)(D) on or before **March 1, 2016**.

3. All expert discovery shall be completed by all parties on or before **April 1, 2016**. The parties shall comply with the same procedures set forth in the paragraph governing fact discovery.

4. Please be advised that failure to comply with discovery deadlines or any other discovery order of the Court may result in the sanctions provided for in Federal Rule of Civil Procedure 37, including a prohibition on the introduction of experts or other designated matters in evidence.

5. A Mandatory Settlement Conference shall be conducted on **April 18, 2016** at **9:30 a.m.** in the chambers of Magistrate Judge Karen S. Crawford, United States Courthouse, 333 West Broadway, Suite 1010, San Diego, California 92101. Counsel or any party representing himself or herself shall submit confidential settlement briefs directly to chambers no later than **April 11, 2016**. **All parties are ordered to read and to fully comply with the settlement conference procedures set forth in Judge Crawford's Chambers Rules** which are accessible via the Court's website at www.casd.uscourts.gov.

6. All other pretrial motions must be filed on or before **May 2, 2016**. Counsel for the moving party must obtain a motion hearing date from the law clerk of the District Judge who will hear the motion. The period of time between the date you request a hearing for your motion and the hearing date set by the law clerk may vary from one District Judge to another. Please plan accordingly. Failure to make a timely request for a motion date may result in the motion not being heard.

7. Counsel shall file their Memoranda of Contentions of Fact and Law and take any other action required by Local Rule 16.1(f)(2) on or before **July 28, 2016**.

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1 8. Counsel shall comply with the pre-trial disclosure requirements of Federal
2 Rule of Civil Procedure 26(a)(3) on or before **July 28, 2016**. Failure to comply with
3 these disclosure requirements could result in evidence preclusion or other sanctions
4 under Federal Rule of Civil Procedure 37.

5 9. Counsel shall meet and take the action required by Local Rule 16.1(f)(4)
6 on or before **August 4, 2016**. At this meeting, counsel shall discuss and attempt to enter
7 into stipulations and agreements resulting in simplification of the triable issues. Counsel
8 shall exchange copies and/or display all exhibits other than those to be used for
9 impeachment. The exhibits shall be prepared in accordance with Local Rule
10 16.1(f)(4)(c). Counsel shall note any objections they have to any other parties' Pretrial
11 Disclosures under Federal Rules of Civil Procedure 26(a)(3). Counsel shall cooperate
12 in the preparation of the proposed pretrial conference order.

13 10. Counsel for plaintiff will be responsible for preparing the pretrial order and
14 arranging the meetings of counsel pursuant to Civil Local Rule 16.1(f). On or before
15 **August 11, 2016**, plaintiff's counsel must provide opposing counsel with the proposed
16 pretrial order for review and approval. Opposing counsel must communicate promptly
17 with plaintiff's attorney concerning any objections to form or content of the pretrial
18 order, and both parties shall attempt promptly to resolve their differences, if any,
19 concerning the order.

20 11. The Proposed Final Pretrial Conference Order, including objections to any
21 other parties' Federal Rule 26(a)(3) Pretrial Disclosures shall be prepared, served and
22 lodged with the assigned District Judge on or before **August 18, 2016**, and shall be in
23 the form prescribed in and comply with Local Rule 16.1(f)(6).

24 12. The final Pretrial Conference is scheduled on the calendar of **Judge**
25 **Sammartino** on **August 25, 2016** at **1:30 p.m.**

26 13. A post trial settlement conference before a Magistrate Judge may be held
27 within 30 days of verdict in the case.

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1 14. The dates and times set forth herein will not be modified except for good
2 cause shown.

3 15. Briefs or memoranda in support of or in opposition to any pending motion
4 shall not exceed twenty-five (25) pages in length without leave of a District Court
5 Judge. No reply memorandum shall exceed ten (10) pages without leave of a District
6 Court Judge. Briefs and memoranda exceeding ten (10) pages in length shall have a
7 table of contents and a table of authorities cited.

8 16. All other terms and conditions of the Scheduling Orders filed on
9 October 3, 2014 [Doc. No. 24], January 22, 2015 [Doc. No. 34], July 16, 2015 [Doc.
10 No. 62], and November 5, 2015 [Doc. No. 65] shall remain in full force and effect.

11 **IT IS SO ORDERED.**

12 DATED: January 27, 2016

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15 KAREN S. CRAWFORD
16 United States Magistrate Judge
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