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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

,  
Plaintiff(s),  
v.  
,  
Defendants(s).

Case No.  
**CIVIL PRETRIAL AND TRIAL  
ORDER**  
**[updated 1/6/26]**

<p style="text-align: center;"><b><u>TABLE OF CONTENTS</u></b></p> <p>1. <a href="#">Pretrial Conference</a></p> <p>2. <a href="#">Trial: Conduct of Attorneys and Parties</a></p>
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1       **1. PRETRIAL CONFERENCE**

2       **a. The Conference.** A final pretrial conference (PTC) date has been set  
3       pursuant to Fed. R. Civ. P. 16 and Local Rule 16-8. Each party must be  
4       represented at the PTC by its lead counsel. Counsel should be prepared  
5       to discuss streamlining the trial, including the following matters:

- 6       i.     Jury selection procedures;
- 7       ii.    Witnesses each party intends to call, including (1) the time  
8       anticipated for each witness (direct and cross), (2) any witness  
9       scheduling issues or special needs (e.g., interpreter); and  
10      (3) whether any deposition will be used in lieu of live  
11      testimony;<sup>1</sup>
- 12      iii.   Evidentiary issues, including anticipated objections to exhibits,  
13      opening statements, or closing arguments;
- 14      iv.    Stipulations (which must be reduced to writing and included as  
15      an exhibit);
- 16      v.     Pretrial motions, including motions in limine, motions to  
17      bifurcate, and motions to sever;
- 18      vi.    Jury instructions, including any disputed jury instructions; and
- 19      vii.   Time limits.

20      **b. Pretrial Conference Documents.** The PTC documents shall be filed  
21      according to the schedule immediately below (unless a specific case  
22      management order provides otherwise) and in compliance with the

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25      <sup>1</sup> Remote testimony is disfavored because technology limitations almost inevitably  
26      interrupt the presentation of the evidence and may affect witness evaluation. When  
27      remote testimony is allowed, the Court prefers the parties to conduct a videotaped  
28      deposition in lieu of live testimony. The parties are warned that if the Court permits  
    either remote testimony or videotaped deposition testimony, *the parties bear the risk*  
    *that technological difficulties may foreclose their ability to present the evidence.*

1 instructions in § 1(c) below. The parties also must file a PTC binder as  
2 set forth in § 1(b)(ii) below.

3 i. Schedule.

4 At least *four weeks* before the PTC, the parties must file:

- 5 • Memoranda of contentions of fact and law;
- 6 • Joint<sup>2</sup> witness list;
- 7 • Joint exhibit list;
- 8 • Joint status report on settlement;
- 9 • Requests for judicial notice;
- 10 • Proposed findings of fact and conclusions of law (bench  
11 trial);<sup>3</sup> and
- 12 • Direct testimony declarations, if ordered (bench trial).

13 At least *two weeks* before the PTC, the parties must file:

- 14 • Proposed PTC order;
- 15 • Joint proposed jury instructions;
- 16 • Joint verdict forms;
- 17 • Joint statement of the case;
- 18 • Proposed voir dire questions, if any;
- 19 • Challenged exhibits table;
- 20 • Joint motions in limine;

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24 <sup>2</sup> A joint filing (e.g., joint witness list) does not simply mean combining each party's  
25 individual filing into a single document. Parties must meet and confer to resolve  
26 disputes wherever possible and to avoid duplication or conflicting information in the  
joint filing. Any remaining disputes must be clearly noted in the joint filing.

27 <sup>3</sup> Proposed findings and conclusions and witness declarations are required only in  
28 bench trials. The parties in a bench trial do not need to submit jury documents (i.e.,  
voir dire questions, statement of the case, jury instructions, and verdict forms).

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- Deposition designations *as to which the parties have any dispute or objection*,<sup>4</sup> and
- Evidentiary objections to declarations (court trial).

ii. PTC Binder and Flashdrive. *Two weeks* before the PTC, the parties must deliver to Judge Blumenfeld’s mailbox outside the Clerk’s Office on the fourth floor of the First Street Courthouse a binder that contains a table of contents and hard copies of the following PTC documents, arranged in this order:  
(1) memoranda of contentions of fact and law; (2) proposed PTC order; (3) joint witness list; (4) joint exhibit list; (5) challenged exhibits; (6) joint jury instructions; (7) joint verdict forms; (8) joint statement of the case; (9) any voir dire questions; and (10) joint motions in limine. The hard copies should be three-hole punched on the left side, without staples, and separated by labeled dividers. In addition, the parties must provide a USB flashdrive, placed securely in an envelope in the pocket of the binder, containing (1) the PTC documents in Word format and (2) electronic copies of all trial exhibits.

iii. No Further Filings. The parties shall work diligently to provide complete and final PTC documents that reflect a serious attempt to prepare for trial. The parties shall *not* file any amended or supplemental PTC documents or any other trial documents without leave of court.

iv. Local Rule 16. Pursuant to L.R. 16-2, lead counsel for each party are required to meet and confer in person or by

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<sup>4</sup> Deposition designations as to which there are no disputes or objections may be provided on or before the first day of trial. Detailed instructions for deposition designations, whether disputed or not, are provided in § 2(f) below.

1 videoconference. The Court expects strict compliance with L.R.  
2 16-2. The PTC documents must comply with L.R. 16, except as  
3 modified in § 1(c) below. The format of the proposed PTC order  
4 must conform to the format set forth in Appendix A to the Local  
5 Rules. Failure to comply may result in the continuance of the  
6 PTC and sanctions.

7 **c. Instructions on PTC Documents.**

- 8 i. Memoranda of Contentions of Law and Fact. Each party is  
9 limited to 20 pages for its memorandum of contentions of law  
10 and fact and should follow the Court’s general requirements for  
11 formatting motions set forth in the Court’s Civil Standing Order.  
12 Jointly represented parties must submit a single memorandum.  
13 ii. Joint Witness List. The parties must submit a joint witness list  
14 that includes a brief description (one or two paragraphs) of the  
15 testimony and a time estimate for both direct and cross-  
16 examination (separately stated), as follows:

<b><u>Plaintiff</u></b>	
1. John Smith	<b>50 min.</b> (30 min. direct/20 min. cross)
He will testify _____.	

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20 List the plaintiff’s witnesses first followed by the defendant’s  
21 witnesses. The failure to provide a specific description of the  
22 anticipated testimony may result in exclusion of evidence or  
23 reduced time allocated for the witness. The parties shall meet to  
24 prepare this joint witness list no later than *two weeks* before the  
25 first pretrial filing deadline, and continuing as necessary, and  
26 shall cooperate in reasonably identifying the time needed for  
27 direct examination and cross-examination on each subject. The  
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parties must provide *realistic* estimates that demonstrate a serious assessment of trial needs. A party that provides “conservative” estimates may be required to submit declarations or detailed offers of proof for each witness to allow for a more realistic assessment.

In addition, the parties are to provide a “clean” version of the joint witness list to be read to the jury panel during voir dire. The clean version should contain only the names of potential witnesses listed in alphabetical order. Include dates of birth for common names.

iii. Joint Exhibit List. The parties shall submit a joint exhibit list that conforms to the requirements of L.R. 16-6.

Whole Exhibits. At trial, each exhibit must be introduced for admission as a whole (because the Court does not admit a portion of an exhibit). For example, if a party seeks to introduce a portion of a business record, the portion to be introduced must be presented as its own exhibit. This applies to all evidence, including photographs. If the parties did not organize their exhibits in that manner, they must meet and confer to address this issue and raise it at the PTC.

Disputes. To the extent that the parties disagree about the admissibility of exhibits, they must meet and confer to determine if each challenged exhibit will be introduced and if the objection can be resolved by discussion of the merits of the objection or a stipulation of fact in lieu of the use of the exhibit. If the parties are unable to resolve the objections, they must separately provide *14 days before the PTC* a joint document entitled “Challenged

1 Exhibits Table.” The Court expects counsel to act in good faith  
2 to narrow this list to a bare minimum. The challenged exhibits  
3 must be presented in table form below in exhibit number order  
4 with the first four columns completed by the parties (identifying  
5 the objecting and responding parties as noted below):

6

<u>Ex. No.</u>	<u>Description</u>	<u>Objection</u>	<u>Response</u>
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9 iv. Joint Jury Instructions.

10 Agreement. The Court expects counsel to agree on almost all the  
11 jury instructions, particularly when pattern or model instructions  
12 provide a statement of applicable law.

13 Model Instructions. When the Manual of Model Jury  
14 Instructions for the Ninth Circuit provides an applicable jury  
15 instruction, submit the most recent version, modified and  
16 supplemented to fit the circumstances of this case. Where  
17 California law applies, use the current edition of the Judicial  
18 Council of California Civil Jury Instructions (CACI). If neither  
19 is applicable, consult the current edition of O’Malley, et al.,  
20 Federal Jury Practice and Instructions.

21 Exchange. The parties must exchange their respective proposed  
22 jury instructions and special verdict forms *14 days before* the  
23 L.R. 16-2 meeting and must exchange their respective objections  
24 to the other’s instructions and verdict forms 10 days before that  
25 meeting.

26 Filing. Fourteen days before the PTC, counsel must file a joint  
27 set of jury instructions on which there is agreement—making  
28

1 sure to *fill in all blanks or bracketed information* in standard  
2 forms. For any disputed instruction, the parties shall submit the  
3 following: the proposed instruction; a one-paragraph statement  
4 in support of the instruction with legal citations; a one-paragraph  
5 statement in opposition to the instruction with legal citations; and  
6 any proposed alternative instruction.

7 Each requested instruction must: (1) cite the authority or source  
8 of the instruction; (2) be set forth in full; (3) be on a separate  
9 page; (4) be numbered; (5) cover only one subject or principle of  
10 law; and (6) not repeat principles of law contained in any other  
11 requested instruction. Counsel may submit alternatives to these  
12 instructions *only if* counsel has a reasoned argument that they do  
13 not properly state the law or are incomplete.

14 Counsel must provide an index of all instructions submitted,  
15 which must include the following: (1) the instruction number;  
16 (2) the instruction title; (3) the instruction source (and any  
17 relevant case citations); and (4) the instruction page number.

18 Use a table with the following format:

19

<u>No.</u>	<u>Title</u>	<u>Source</u>	<u>Page No.</u>
1	Trademark-Defined	9th Cir. 8.5.1	1

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23 As part of the PTC binder, counsel must provide a hard and  
24 electronic copy of: (1) the joint set of instructions and disputed  
25 instructions as described above; and (2) a “clean” set of jury  
26 instructions, numbered in list format, containing only the text of  
27 the instruction (without a page break between each instruction).  
28 For the clean set, counsel *must* use the Court’s template posted

1 on the Orders and Additional Documents tab of its [webpage](#) and  
2 follow the exact format.

- 3 v. Statement of the Case. At the time of filing the proposed PTC  
4 order, counsel should file a jointly prepared one-page statement  
5 of the case to be read by the Court to the prospective panel of  
6 jurors before commencement of voir dire.
- 7 vi. Voir Dire. The Court will conduct the voir dire. The Court asks  
8 basic questions to obtain biographical information and determine  
9 whether a prospective juror can be fair given the type of case.  
10 Counsel may, but are not required to, file a short list (*no more*  
11 *than one or two pages*) of proposed case-specific voir dire  
12 questions at the time they file the proposed PTC order. Eight  
13 jurors will be selected, unless the Court indicates otherwise.
- 14 vii. Joint Motions in Limine (JMILs). If the parties file motions in  
15 limine (including *Daubert* motions), they must adhere to the  
16 JMIL procedures below, including a thorough meet and confer.  
17 Failure to cooperate and comply with these procedures may  
18 result in summary denial of the JMIL and/or the imposition of  
19 sanctions. Each party is limited to *five* motions in limine, absent  
20 leave of court. JMILs should identify *specific* evidence to which  
21 the opposing party has expressly objected. Motions that  
22 generally seek to exclude evidence or argument—e.g., “evidence  
23 not produced in discovery,” “opinions not disclosed in an expert  
24 report or deposition,” the “reptile theory” or “golden rule”  
25 argument—are improper. A party with a general concern must  
26 meet and confer with the opposing party to determine if there is  
27 *specific* objectionable evidence or argument that will be  
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1 introduced. Also, JMILs should not be disguised motions for  
2 summary adjudication of issues.

- 3 • Meet and Confer. Before filing a JMIL, the moving party  
4 shall send a letter identifying the evidence to be excluded,  
5 the specific terms of the order sought, and the rationale and  
6 supporting authority. Counsel shall meet within five  
7 calendar days of the letter. If unable to resolve the issue,  
8 counsel shall follow the briefing schedule below and file a  
9 JMIL consisting of: (1) the moving party's one-sentence  
10 statement in bold of the evidence to be excluded and the  
11 anticipated prejudice; and (2) each party's contentions set  
12 forth below a separate underlined heading for each party  
13 (identifying the moving party, the opposing party, and the  
14 moving party in reply). The moving party must include a  
15 one-page declaration at the end of each JMIL demonstrating  
16 that counsel discussed in good faith the specific evidence or  
17 argument at issue.
- 18 • Briefing Schedule. (1) The moving party's portion of the  
19 JMIL is due 25 days before the PTC; (2) the opposing  
20 party's portion of the JMIL is due 18 days before the PTC;  
21 and (3) the moving party's reply portion is due 14 days  
22 before the PTC. All JMILs must be filed and served at least  
23 14 days before the PTC.
- 24 • Page Limits. Five pages for the moving portion; five pages  
25 for the opposing portion; and three pages for the reply  
26 portion.
- 27 • Daubert Motions. For complicated *Daubert* motions, the  
28 parties may request relief from the page limits and/or

1 briefing schedule ahead of the relevant deadlines. The  
2 requirements to meet and confer and submit a joint filing  
3 will remain.

- 4 • Rulings. The Court reserves the right to defer ruling on one  
5 or more of the motions until trial and to change its ruling at  
6 trial based on the development of the evidence that it did not  
7 appreciate or “anticipate at the time of its initial ruling.”  
8 *United States v. Bensimon*, 172 F.3d 1121, 1127 (9th Cir.  
9 1999). In the event that a party believes in good faith that  
10 the evidence at trial warrants reconsideration of a ruling, the  
11 party must raise the issue outside the presence of the jury.
- 12 • Advising Witnesses. Counsel are required to advise affected  
13 witnesses to comply with the Court’s rulings on JMILs; and  
14 counsel may be held responsible if they fail to properly  
15 advise them.

16 **2. TRIAL: CONDUCT OF ATTORNEYS AND PARTIES**

- 17 **a. Trial Procedures.** All counsel, parties, witnesses, court staff, and  
18 members of the public must adhere to the trial procedures described  
19 below.
  - 20 i. Food, Beverages, Cell Phones. No food or beverage other than  
21 water is permitted in the courtroom. No cell phone is permitted  
22 in the courtroom unless it is turned off; and it may be confiscated  
23 if it interrupts the proceedings.
  - 24 ii. Timeliness. The parties and their counsel are ordered to be on  
25 time. The Court requires strict compliance with this order.
  - 26 iii. Communication. All remarks at trial shall be addressed to the  
27 Court. While court is in session, counsel shall not directly  
28 address the CRD, the court reporter, or opposing counsel without

1 the Court’s permission; and all requests to place an exhibit  
2 before a witness shall be addressed to the Court. Counsel shall  
3 avoid having a conversation with anyone inside or outside the  
4 courtroom that may be overheard by a juror or prospective juror  
5 and shall admonish their clients and witnesses to comply with  
6 this order.

7 iv. Movement. Counsel shall *rise* when addressing the Court and  
8 when the jury enters or leaves the courtroom. Counsel shall  
9 *remain at the lectern* when questioning a witness or giving an  
10 opening statement or closing argument. Counsel shall not  
11 approach the witness or enter the well without the Court’s  
12 permission and shall return to the lectern when the permitted  
13 purpose has been accomplished. Counsel shall *not leave counsel*  
14 *table* to confer with investigators, witnesses, or others while  
15 court is in session without the Court’s permission.

16 v. Objections. No “speaking objections” are allowed. Rise and  
17 state only the legal grounds of the objection (e.g., “Objection,  
18 hearsay”). If the Court invites either clarification of the legal  
19 grounds for the objection or a response, do not abuse the  
20 invitation by providing factual argument before the jury.

21 vi. Sidebars. Sidebar conferences are generally not permitted at the  
22 request of counsel for evidentiary objections, especially for  
23 issues that could have been anticipated. Counsel should  
24 anticipate significant issues and schedule a hearing when the jury  
25 is not waiting—e.g., before the jurors arrive or after they leave  
26 for the day.

27 vii. Exhibits. No exhibit shall be placed before a witness unless a  
28 copy has been provided to the Court and opposing counsel. Nor

1 shall any exhibit be displayed to the jury unless previously  
2 admitted or agreed upon by all counsel. Once approved, an  
3 exhibit may be published by electronic projection, not by  
4 handing it to the jurors. Each counsel should maintain an exhibit  
5 list that notes when an exhibit has been admitted into evidence  
6 and shall return any exhibit to the CRD before leaving the  
7 courtroom at the end of the trial session.

8 viii. Stipulations. Counsel should not offer a stipulation without  
9 having reached agreement with opposing counsel about its  
10 precise terms.

11 ix. Witnesses. Counsel shall also comply with the rules below.

- 12 • *Available Witnesses*. Counsel shall have witnesses available  
13 throughout the court day or risk being deemed to have  
14 rested.
- 15 • *Recess*. After a recess or adjournment, counsel shall ensure  
16 that his or her witness returns to the stand before trial  
17 resumes.
- 18 • *Direction*. Counsel should provide direction to their  
19 witnesses before they are called into the courtroom about  
20 where to walk to approach the witness stand.
- 21 • *One Lawyer*. For each witness, a party may only have one  
22 lawyer who examines, and handles objections for, the  
23 witness.
- 24 • *Full Names*. During trial, counsel shall not refer to any  
25 witness 18 years of age or older—including a client—by  
26 first name.
- 27 • *Accommodation*. The parties should cooperate in  
28 responding to reasonable, legitimate requests to call a

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witness out of sequence. Any accommodation dispute should be raised at the PTC (if possible).

- *Special Needs.* Counsel must notify the CRD in advance if a witness requires an interpreter or an accommodation under the Americans with Disabilities Act (or for any other reason).
- *Professionalism.* Counsel shall not express agreement or disagreement with witness testimony by comment, facial expression, or otherwise and shall admonish clients, family, and friends to comply with this order.
- *Pleasantries.* Counsel should avoid the exchange of pleasantries with witnesses on the stand.

x. Courtroom Technology. Any party intending to use courtroom technology during trial must review the information on Courtroom Technology on the Central District’s [website](http://www.cacd.uscourts.gov/clerk-services/courtroom-technology) (www.cacd.uscourts.gov/clerk-services/courtroom-technology) and must become familiar with all necessary equipment before trial. The Court will not delay the trial for technology issues that could have been avoided through reasonable planning; and the parties, in any event, should have a back-up plan. Any party intending to use equipment that is not regularly in the courtroom must notify the CRD at least one week before trial and obtain approval.

xi. Court Reporting Services. Any party requesting special court reporting services shall notify the reporter as least two weeks before the service date. Please review the Central District’s [webpage](#) on Court Reporting Services

(www.cacd.uscourts.gov/court-reporting-services) for relevant information.

**b. Trial Exhibits.**

- i. Stipulations. All counsel are to meet no later than ten days before trial and stipulate, so far as possible, to foundation, waiver of the best evidence rule, and those exhibits that may be received into evidence at the start of the trial. The exhibits to be so received should be noted on the Court's copy of the exhibit list.
- ii. Numbering. Each multi-page exhibit must be numbered for easy reference. In addition, a party is generally expected to include in the exhibit only those portions of the document that will be moved into evidence.
- iii. Binders. Exhibits must be placed in three-ring binders indexed by exhibit number with tabs or dividers on the right side. Counsel must submit to the Court an original and copy of the binders, as described below. The spine portion of the binder must indicate the volume number, and each volume must contain an index of each exhibit included therein.
- iv. Delivery. The Court requires that the following be submitted to the CRD on the first day of trial:
  - One binder (or set of binders) of original exhibits with the Court's exhibit tags, yellow tags for plaintiff and blue tags for defendant, stapled to the front of the exhibit on the upper right-hand corner with the case number, case name, and exhibit number placed on each tag.
    - All exhibits (except those to be used for impeachment only) should have official exhibit tags attached and bear the same number shown on the

1 exhibit list. Digital exhibit tags are available on the  
2 Court's [website](#) (Form G-14A plaintiff, Form G-  
3 14B defendant) and may be used in place of the tags  
4 obtained from the Clerk's office. The defense  
5 exhibit numbers must not duplicate plaintiff's  
6 numbers.

7 ○ If counsel intends to use an enlargement of an  
8 existing exhibit, it must be designated with the  
9 number of the original exhibit followed by an "A."

- 10 ● One binder (or set of binders) with a copy of each exhibit  
11 tabbed with numbers as described above for use by the  
12 Court. (Exhibit tags are not necessary on these copies.)
- 13 ● Three copies of the party's witness list in the order in which  
14 the witnesses may be called to testify.
- 15 ● Three copies of the joint exhibit list in the form specified in  
16 L.R. 16-6 (Civil).

17 v. Display. Where a significant number of exhibits will be  
18 admitted, the Court encourages counsel to consider how to  
19 intelligibly present testimony about exhibits by use of technology  
20 or otherwise (e.g., enlargements of important exhibits). The  
21 Court has equipment available for use during trial. Details are  
22 posted on the Court's [website](#). To make reservations for  
23 training, call the Courtroom Technology Help Desk at 213-894-  
24 3061. Counsel is responsible for learning the use of the  
25 technology before trial. Trial will not be interrupted for this  
26 purpose. The Court does not permit exhibits to be passed up and  
27 down the jury box. Admitted exhibits (or exhibits to which  
28 opposing counsel has expressed "no objection") may be

1 “published” by briefly displaying them on the screens in the  
2 courtroom.

3 vi. Exhibit List (Jury). A copy of the exhibit list with all admitted  
4 exhibits will be given to the jury during deliberations. Counsel  
5 must review and approve the exhibit list with the CRD before the  
6 list is given to the jury.

7 vii. Electronic Exhibits. At the conclusion of trial, the parties shall  
8 provide the Court with electronic copies of any trial exhibits that  
9 were admitted or offered and not previously provided to the  
10 Court in the pretrial submissions.

11 c. **Depositions.** A party intending to use a deposition for impeachment or  
12 in lieu of live testimony must (1) file the deposition designations  
13 together with objections 14 days before the PTC if there are any  
14 objections or disputes requiring a ruling by the Court or (2) lodge the  
15 original deposition transcript with the CRD on or before the first day of  
16 trial if there are no disputes. The untimely filing of the original  
17 deposition transcript may result in exclusion. In addition, each party  
18 intending to present evidence by way of deposition testimony shall  
19 comply with the following instructions:

20 i. Identify on the original transcript the testimony the party intends  
21 to offer by bracketing the questions and answers in the margins.  
22 The opposing party shall likewise counter-designate any  
23 testimony it plans to offer.

24 ii. Identify any objections to the proffered evidence in the margins  
25 of the deposition transcript by briefly providing the ground for  
26 the objection and the response to the objection.

27 iii. For all depositions offered in the case, the parties shall  
28 consistently use different colored ink—black for plaintiff and

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blue for defendant—for designations, counter-designations, objections, and responses to objections.

iv. Provide an index for each deposition, placed behind the first page, identifying each page that contains a designation or counter-designation.

v. Provide to the CRD an electronic copy of the above materials, including all designations, counter-designations, and objections.

The CRD will serve a copy of this order personally or by mail on counsel for all parties to this action.

Date: January 14, 2026

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Stanley Blumenfeld, Jr.  
United States District Judge